



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

CALL TO ORDER: COMMISSIONERS' BRIEFING, 5:42 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ATTENDANCE:

PRESENT: CHAIRMAN RICHARD TRUESDELL, MEMBERS STEVEN EVANS (arrived at 5:45 P.M.), BYRON GOYNES, LAURA McSWAIN, LEO DAVENPORT AND DAVID STEINMAN

EXCUSED: VICE CHAIRMAN NIGRO

STAFF PRESENT: ROBERT GENZER, PLANNING & DEVELOPMENT DEPT., MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD – PLANNING & DEVELOPMENT DEPT., DAVID GUERRA – PUBLIC WORKS, RICK SCHROEDER – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE

GARY LEOBOLD, Planning and Development Department, referenced the following items that were requested to be held in abeyance, tabled or withdrawn without prejudice. Letters are on file for each of the requests.

Item 25 [GPA-5102]	TABLED
Item 26 [VAR-5113]	Abeyance to 2/10/2005 Planning Commission meeting
Item 27 [ZON-5106]	Abeyance to 2/10/2005 Planning Commission meeting
Item 28 [VAR-5110]	Abeyance to 2/10/2005 Planning Commission meeting
Item 29 [WVR-5294]	Abeyance to 2/10/2005 Planning Commission meeting
Item 30 [SDR-5108]	Abeyance to 2/10/2005 Planning Commission meeting
Item 36 [VAR-5459]	Withdrawn Without Prejudice
Item 44 [SUP-5471]	Withdrawn Without Prejudice
Item 45 [SUP-5472]	Withdrawn Without Prejudice

Regarding Item 25 [GPA-5102], the applicant requested to table the item and to hold in abeyance Item 26 [VAR-5113], Item 27 [ZON-5106], Item 28 [VAR-5110], Item 29 [WVR-5294] and Item 30 [SDR-5108] to the 2/10/2005 Planning Commission Meeting because they are all companion items. DEPUTY CITY ATTORNEY BRYAN SCOTT pointed out that normally an item is tabled when there is not a date certain of when it will come back before the Commission. If the remaining companion items are scheduled to be heard on 2/10/2005, it did not make sense to table Item 25 [GPA-5102] if it is not scheduled to be heard on a particular day.

MR. LEOBOLD added that the remaining items could not be heard without the General Plan Amendment. DEPUTY CITY ATTORNEY SCOTT said it would be more appropriate to abey all items to 2/10/2005 or table all of the items. MR. LEOBOLD agreed and stated there was a concern regarding the General Plan Amendment being abeyed three times and that was most likely the basis for the request to table. CHAIRMAN TRUESDELL stated it could be discussed further during the meeting.

Regarding Item 36 [VAR-5459], the application pertained to a building height Variance; however, due to design changes the Variance is no longer required and the applicant would like the item Withdrawn Without Prejudice.

Regarding Item 44 [SUP-5471] and Item 45 [SUP-5472], which were for a drug and alcohol and sex offender counseling service, the applicant is requesting the items be Withdrawn Without Prejudice.

Regarding Item 1 [TMP-5356] and Item 2 [TMP-5447], there have been requests to pull those two items off of the Consent Agenda.

Regarding Item 11 [SUP-5426], Item 14 [SUP-5429], Item 15 [SUP-5430] and Item 18 [SUP-5433], there are changes to the pad site descriptions in the introductory paragraphs of the staff report. It does not affect any recommendations or conditions.

Regarding 48 [VAR-5227], staff is requesting the item be pulled forward to be heard at the beginning of the Public Hearing agenda because the item was an abeyance item and it should have been correctly located at the beginning of the Public Hearing segment.

Regarding Item 49 [DIR-5543], staff is requesting the item be pulled forward to the beginning portion of the Public Hearing agenda.

Regarding Item 47 [SDR-5452], the recommendation is listed as approval and it should read as denial.

Regarding Item 23 [VAC-5464] and Item 31 [SDR-5179], Public Works has requests to amend conditions on both applications and a handout was provided to the Commissioners.

DEPUTY CITY CLERK ARLENE COLEMAN informed CHAIRMAN TRUESDELL that the minutes scheduled to be approved during the meeting were listed incorrectly on the agenda as October 17, 2004 and November 4, 2004. She advised him that the correct dates would be October 21, 2004 and November 4, 2004. The Chairman noted the correction.

MEETING ADJOURNED AT 5:47 P.M.



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by ROBERT GENZER

CALL TO ORDER: 6:01 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS STEVEN EVANS, BYRON GOYNES, LAURA McSWAIN, LEO DAVENPORT AND DAVID STEINMAN

STAFF PRESENT: ROBERT GENZER – PLANNING & DEVELOPMENT DEPT., MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD – PLANNING & DEVELOPMENT DEPT., DAVID GUERRA – PUBLIC WORKS RICK SCHROEDER – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE

CHAIRMAN TRUESDELL announced that this would be the final meeting for ROBERT GENZER, Director of the Planning and Development Department because he is retiring. The Chairman introduced MR. GENZER'S wife TERI GENZER, who is also retiring from employment with the City's Building & Safety Department. Speaking on behalf of the Planning Commission, CHAIRMAN TRUESDELL thanked the GENZERS for their hard work and dedication and wished them well.

MARGO WHEELER, Deputy Director, Planning & Development Department, presented MR. GENZER with a small token of appreciation from the Planning & Development staff members.

MR. GENZER thanked the Chairman for his kind comments. He said that during the 31 years he has worked at the City of Las Vegas, he has met and worked with many great people. He explained that his wife has worked with the City for 28 years and she is retiring at the same time. They are proud to have served the citizens for approximately one third of the City's history as 2005 is the 100th anniversary of the City of Las Vegas.

MR. GENZER commended his staff for their work and for making him look good in his position. He also commended the Planning Commissioners for their hard work and explained that the public only sees the meetings held twice a month but the Commissioners work much more than that. They review countless staff reports and drive subject sites to become familiar with proposed projects before they are heard so that they can make an informed decision. They do not get thanked often. He thanked the current Planning Commissioners as well as those who have previously served on the board.

CHAIRMAN TRUESDELL presented MR. GENZER with a proclamation for his many years of service and the help he offered to the Planning Commission.

CRAIG GALATI, a former Planning Commissioner, thanked MR. GENZER for all of his hard work put in over many years and congratulated him on his retirement. MR. GALATI worked with MR. GENZER with both projects he is involved in within the City and also while he was a Commissioner. He said MR. GENZER is the hardest working employee he has seen. The City would miss MR. GENZER but his legacy will live on through the programs he implemented. MR. GALATI hoped that future Commissioners would remember how hard it is to draft ordinances that make sense and how much MR. GENZER contributed to getting ordinances in place that help the Commission and Council govern how the City functions. He concluded by saying the City is better because of the work MR. GENZER has done and he is proud to have worked with him.

MR. GENZER announced to the Commission that MARGO WHEELER, the current Deputy Director of Planning & Development, was confirmed as his replacement during the City Council meeting of 12/01/2004. He said that the Council had never before appointed a new director prior to the incumbent director's departure. He felt the Council made an excellent decision. It provides continuity in the department and eliminates doubt regarding who would be taking over the position. MS. WHEELER will begin her new position on January 10, 2005.

The Planning Commission offered a very large "Thank You" sign to MR. GENZER stating that he always did things in a big way.

GARY LEOBOLD, Planning and Development Department, referenced the following items that were requested to be held in abeyance, tabled or withdrawn without prejudice. Letters are on file for each of the requests.

Item 25 [GPA-5102]	TABLED
Item 26 [VAR-5113]	Abeyance to 2/10/2005 Planning Commission meeting
Item 27 [ZON-5106]	Abeyance to 2/10/2005 Planning Commission meeting
Item 28 [VAR-5110]	Abeyance to 2/10/2005 Planning Commission meeting
Item 29 [WVR-5294]	Abeyance to 2/10/2005 Planning Commission meeting
Item 30 [SDR-5108]	Abeyance to 2/10/2005 Planning Commission meeting
Item 36 [VAR-5459]	Withdrawn Without Prejudice
Item 44 [SUP-5471]	Withdrawn Without Prejudice
Item 45 [SUP-5472]	Withdrawn Without Prejudice

Regarding Item 25 [GPA-5102], the applicant requested to table the item and to hold in abeyance companion Item 26, [VAR-5113], Item 27 [ZON-5106], Item 28 [VAR-5110], Item 29 [WVR-5294] and Item 30 [SDR-5108] to the 2/10/2005 Planning Commission Meeting. Staff is recommending that all six items be treated in the same manner because the GPA application is required when considering the other items.

Regarding Item 36 [VAR-5459], the application pertained to a building height Variance; however, due to design changes the Variance is no longer required and the applicant would like the item Withdrawn Without Prejudice.

Regarding Item 44 [SUP-5471] and Item 45 [SUP-5472], which were for a drug and alcohol and sex offender counseling service, the applicant is requesting the items be Withdrawn Without Prejudice. CHAIRMAN TRUESDELL wanted to clarify that although one of the applicants on these items is shown as Cornerstone, his real estate company, Cornerstone, is not affiliated with these applications in any way, shape or form.

VICE CHAIRMAN NIGRO asked if the applicant was present for Item 25 [GPA-5102] and the companion items to discuss the options of tabling or abeying the items.

CHRIS CROFT, Wright Engineers, 7425 Peak Drive, appeared on behalf of the applicant and stated they were currently working with an adjoining Homeowners Association to try and work out some details. He stated that it was a staff recommendation that they request tabling Item 25 [GPA-5102] and to abey the remaining companion items.

CHAIRMAN TRUESDELL clarified with MR. CROFT that the applicant is currently holding ongoing meetings to resolve issues regarding a private street of the adjoining apartment complex because the subject site is a landmark parcel. CHAIRMAN TRUESDELL acknowledged that the applicant did not want to request multiple abeyances on the GPA application; however, all of the items needed to be tied together and treated similarly because they are all related. MR. CROFT indicated the applicant would prefer to table all of the items. MR. LEOBOLD advised the applicant that tabling all of the items would require the applicant to pay \$150 per item for the re-notification fee. MR. CROFT replied that he understood and accepted that fact.

VICE CHAIRMAN NIGRO motioned to bring forward the withdrawn and tabled items as read into record.

(6:11 – 6:15)

1-300



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

SUBJECT:

Approval of the minutes of the October 21 and November 4, 2004, Planning Commission Meetings

MOTION:

NIGRO – APPROVED - UNANIMOUS

MINUTES:

There was no discussion.

(6:10 – 6:10)

1- 273



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

CHAIRMAN TRUESDELL announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN TRUESDELL read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDA ITEM.



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

CHAIRMAN TRUESDELL noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - TMP-5356 - TENTATIVE MAP - CHEYENNE/CAMPBELL (A COMMERCIAL SUBDIVISION) - APPLICANT: INVESTORS REALTY GROUP - OWNER: SAN GREGARIO, LLC AND CAMPBELL 2.5, LLC - Request for a Tentative Map FOR A ONE-LOT COMMERCIAL SUDIVISION on 5.36 acres adjacent to the northwest corner of Cheyenne Avenue and Campbell Road (APN 138-08-401-008 and 009), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to O (Office), Ward 4 (Brown).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, explained that this application was held from the 11/18/2004 Planning Commission meeting because Public Works had some ongoing issues that needed to be resolved regarding Dapple Grey Road, the west boundary of the site. Some of the issues have been resolved; however, there are still issues of concern regarding the interior height of pads and the wall height on the northern boundary of the site. A rezoning action was approved on 9/15/2004 but there has been no Site Plan approval and as such, there is no guidance offered for how the wall and pads would be treated with respect to the adjacent properties.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 1 – TMP-5356

MINUTES – Continued:

CHRIS ARAMBULA, L.R. Nelson Engineering, 5600 Russell Road, appeared on behalf of the applicant and stated that the applicant will work with the residents and staff on concerns regarding retaining walls and any other issues that may arise.

COMMISSIONER STEINMAN asked MR. ARAMBULA if a 6-foot wall was proposed at the rear of the north property line and if so, was the grade level going to be taken down to be equal to the residences to the north. MR. ARAMBULA confirmed that a 6-foot wall was planned; however, the project was still in the pad phase so he could not answer about the grading. The Commissioner asked where the drainage from the property would go. MR. ARAMBULA indicated that although he did not have a map to reference, he thought it would drain to the northeast. MR. ARAMBULA reiterated that the applicant would work with staff and the neighbors regarding the Commissioner's concerns.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:16 – 6:19)

1-475

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Rezoning (Z-0063-02 and ZON-4699).
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
6. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 1 – TMP-5356

CONDITIONS – Continued:

common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

Public Works

7. Dedicate 50 feet of right-of-way adjacent to this site for Cheyenne Avenue.
8. Construct all incomplete half-street improvements on Cheyenne Avenue adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the western boundary of this site prior to construction of hard surfacing (asphalt or concrete).
9. Coordinate with the Department of Public Works to determine the ultimate disposition of Dapple Grey Road adjacent to the western edge of this site prior to submittal of a Final Map for this site. If Dapple Grey Road is determined to remain a public street corridor, dedicate 30 feet of right-of-way, and appropriate right-of-way to terminate Dapple Grey Road in a cul-de-sac meeting current City Standards. If Dapple Grey Road is determined not to remain a public street corridor, remove existing asphalt roadway improvements adjacent to this site and landscape and maintain all remaining public right-of-way adjacent to this site. Provide an appropriate public sewer access easement to access the existing public sewer manholes at the northwest corner of this site.
10. Landscape and maintain all existing unimproved right-of-way on the Dapple Grey Road alignment adjacent to this site concurrent with development of this site.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 1 – TMP-5356

CONDITIONS – Continued:

11. Submit an Encroachment Agreement for all landscaping and private improvements located in the Dapple Grey Road alignment public right-of-way adjacent to this site prior to occupancy of this site.
12. All notes required by Section 18.10.230, subsections (A), (B), and (C) of the Las Vegas Municipal Code Title 18 Subdivision Ordinance shall appear on the recorded Final Map.
13. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
14. Site development to comply with all applicable conditions of approval for ZON-4699 and all other applicable site-related actions.
15. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-5447 - TENTATIVE MAP - CHEYENNE AND HUALAPAI BUSINESS CENTER
- APPLICANT/OWNER: LONE MOUNTAIN PLAZA, LLC - Request for a Tentative Map FOR A ONE-LOT COMMERCIAL SUBDIVISION on 4.00 acres adjacent to the northeast corner of Cheyenne Avenue and Hualapai Way (APN 138-07-401-016), U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

STEINMAN – Motion to HOLD IN ABEYANCE – UNANIMOUS

To be held in abeyance to 12/16/2004 Planning Commission meeting.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, stated that this site was approved for a 38,400 square-foot retail center by City Council on 9/17/2004. The Tentative Map does show conformance to the conditions of approval; however, the Site Plan did contain waivers for building landscape buffers and parking lot landscaping that were granted in exchange for additional landscaping being provided along the west edge of the site. The guarantee of that additional landscaping is a concern.

MICHELLE GAPEN, 6345 South Jones Boulevard, appeared on behalf of the applicant. She was unaware of any issues relating to the project and explained that she would have to speak to her

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 2 – TMP-5447

MINUTES – Continued:

client before agreeing to conditions. She requested a two-week abeyance.

(6:19 – 6:21)

1-575

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-5474 - TENTATIVE MAP - SHADOW MOUNTAIN COMMERCIAL SUBDIVISION - APPLICANT: SHADOW MOUNTAIN MARKETPLACE - OWNER: GEORGE FILIOS TRUST R-501, ET AL - Request for a Tentative Map FOR A ONE-LOT COMMERCIAL SUBDIVISION on 35.82 acres adjacent to the northwest corner of Decatur Boulevard and the 215 Beltway (APN 125-24-802-001,-002,-003,-004,-007,-010, and -011), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions Consent Item 3 [TMP-5474], Item 4 [TMP-5489], Item 5 [TMP-5492] and Item 6 [TMP-5494] – UNANIMOUS with McSWAIN abstaining on Item 4 [TMP-5489] because she believed one of the principals identified in the application was involved with Southwest Homes and her company, Terra Contracting, is doing work for Southwest Homes

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

(6:15 – 6:16)

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 3 – TMP-5474

CONDITIONS – Continued:

Planning and Development

1. Approval of the Tentative Map, date stamped October 19, 2004 shall be for no more than two years. If a Final Map is not recorded on all or a portion of the area included in the Tentative Map within two years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. The development shall conform to the Conditions of Approval for the following applications: Zoning Reclassification Z-0019-01, Zoning Reclassification ZON-3976, Petition of Vacation VAC-5069, Special Use Permit SUP-5065 and Site Development Review SDR-5050.
3. Prior to submittal of a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map reflecting the Conditions of Approval in this report and particularly those listed as Special Conditions shall be approved by staffs of the Planning and Development Department and Public Works Department.
4. Street names must be provided in accordance with the City's Street Naming Regulations.
5. The development shall comply with all City codes and State subdivision statutes.

Public Works

6. Dedicate 30 feet of right-of-way adjacent to this site for Rome Boulevard, 30 feet for Thom Boulevard, and 10 feet of additional right-of-way adjacent to APN#125-24-802-011 for a total half street width of 60 feet for Decatur Boulevard. Dedicate a 25 foot radius on the southeast corner of Rome Boulevard and Thom Boulevard and a 25 foot radius at the southwest corner of Rome Boulevard and Decatur Boulevard. Additionally, dedicate those portions of Centennial Parkway and Thom Boulevard to provide a knuckle acceptable to the City Engineer.
7. Construct half-street improvements including appropriate overpaving on Decatur Boulevard adjacent to this site concurrent with the first phase of development of this site. Also, construct the complete knuckle at the intersection of Centennial Parkway and Thom Boulevard. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal systems concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 3 – TMP-5474

CONDITIONS – Continued:

8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
9. All pad sites must always allow for the perpetual common access between the various parcels/owners within the overall commercial subdivision area, unless incompatible uses are proposed as determined by the City Engineer.
10. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:
 - I. Onsite sewers, 8-inches in diameter or larger, are public sewers within 20 foot wide dedicated public sewer easements.
 - II. Onsite sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.
 - III. Onsite sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.
11. All appropriate Notes per Las Vegas Municipal Code Title 18 Subdivisions section 18.10.230 shall appear on the recorded Final Map. All Notes per sections (A), (B), and (C) as required shall appear on the Final Map.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 3 – TMP-5474

CONDITIONS – Continued:

12. Site development to comply with all applicable conditions of approval for Zoning Reclassifications ZON-3976, Z-19-01, Site Development Plan Review SDR-5050 and all other subsequent site-related actions.
13. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.
14. Petition of Vacation, VAC-5069, for Turkey Lane shall record prior to the recordation of a Final Map for this site or the issuance of any permits for this site, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-5489 - TENTATIVE MAP - BUNKER COMMONS III - APPLICANT: S.B.A. DEVELOPMENT, INC.- OWNER: S F INVESTMENTS, LLC - Request for a Tentative Map FOR A NINE-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 2.5 acres adjacent to the southwest corner of Peak Drive and Bronco Street (APN 138-14-701-003) U (Undeveloped) [L (Low Density Residential) General Plan Designation] under Resolution of Intent to R-1 (Single Family Residential) Zone, Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions Consent Item 3 [TMP-5474], Item 4 [TMP-5489], Item 5 [TMP-5492] and Item 6 [TMP-5494] – UNANIMOUS with McSWAIN abstaining on Item 4 [TMP-5489] because she believed one of the principals identified in the application was involved with Southwest Homes and her company, Terra Contracting, is doing work for Southwest Homes

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

(6:15 – 6:16)

1-434

CONDITIONS:

Planning and Development

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 4 – TMP-5489

CONDITIONS – Continued:

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Rezoning (ZON-4644).
3. Street names must be provided in accord with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

5. Landscape and maintain all unimproved right(s)-of-way within and adjacent to this site.
6. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way within and adjacent to this site prior to occupancy of this site.
7. Site development to comply with all applicable conditions of approval for Zoning Reclassification (ZON-4644) and all other applicable site-related actions.
8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-5492 - TENTATIVE MAP - STREAMLINE TOWER - APPLICANT/OWNER: STREAMLINE TOWER L.L.C. - Request for a Tentative Map FOR A 253-UNIT MIXED-USE DEVELOPMENT on 1.03 acres adjacent to the southeast corner of Las Vegas Boulevard and Ogden Avenue (APN 139-34-611-056), C-2 (General Commercial) Zone, Ward 5 (Weekly).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions Consent Item 3 [TMP-5474], Item 4 [TMP-5489], Item 5 [TMP-5492] and Item 6 [TMP-5494] – UNANIMOUS with McSWAIN abstaining on Item 4 [TMP-5489] because she believed one of the principals identified in the application was involved with Southwest Homes and her company, Terra Contracting, is doing work for Southwest Homes

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

(6:15 – 6:16)

1-434

CONDITIONS:

Planning and Development

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 5 – TMP-5492

CONDITIONS – Continued:

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area covered by this Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the conditions of approval for SUP-5181 and SDR-5180.
3. All development shall conform to all regulatory criteria enforced by City Department and state statutes.

Public Works

4. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-5180 and all other subsequent site-related actions.
5. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-5494 - TENTATIVE MAP - ST. CROIX APARTMENTS - APPLICANT: STANLEY CONSULTANTS INC.- OWNER: SNIP ST.CROIX LIMITED PARTNERSHIP - Request for a Tentative Map FOR THE CONVERSION OF A 256-UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 10.62 acres at 6661 Silverstream Avenue (APN 138-26-302-002 and 138-26-401-002),R-3 (Medium Density Residential), Ward 2(Wolfson).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMEN8DATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions Consent Item 3 [TMP-5474], Item 4 [TMP-5489], Item 5 [TMP-5492] and Item 6 [TMP-5494] – UNANIMOUS with McSWAIN abstaining on Item 4 [TMP-5489] because she believed one of the principals identified in the application was involved with Southwest Homes and her company, Terra Contracting, is doing work for Southwest Homes

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.
(6:15 – 6:16)
1-434

CONDITIONS:

Planning and Development

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 6 – TMP-5494

CONDITIONS – Continued:

1. A Homeowners' Association shall be created that will be responsible for the common areas of the development.
2. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area included in the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. The development shall comply with all City Codes and State Subdivision Statutes.

Public Works

5. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid prior to the recordation of a Final Map for this site.
6. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
8. Site development to comply with all applicable conditions of approval for SDR-5314 and all other subsequent site-related actions.
9. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5422 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: KAHUNA GRILL LAKE MEAD, LLC - OWNER: AMERICAN PACIFIC CAPITAL PAVILION COMPANY, L.L.C. - Request for a Special Use Permit and a Waiver from the 400 foot distance separation requirement for a City Park FOR A SUPPER CLUB at 7341 West Lake Mead Boulevard (APN 138-22-317-003), C-1 (Limited Commercial) Zone, Ward 4 (Brown).

C.C.: 01/05/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477]– UNANIMOUS with McSWAIN abstaining on Item 21 [SDR-5493] because her company, Terra Contracting, is currently working on the project

To be heard by the City Council on 1/05/2005

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 7 – SUP-5422

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477].

BRENT WILSON, VTN, 2727 South Rainbow Boulevard, appeared on behalf of the applicant for Item 23 [VAC-5464] and asked that the item be pulled from the One Motion One Vote agenda and heard separately.

COMMISSIONER STEINMAN asked that Item 12 [SUP-5427], Item 13 [SUP-5428], Item 14 [SUP-5429], Item 15 [SUP-5430], Item 16 [SUP-5431], Item 17 [SUP-5432], Item 18 [SUP-5433], Item 19 [SUP-5434] and Item 20 [SUP-5435] be pulled from the One Motion One Vote agenda.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477].

(6:21 – 6:28)

1-639

CONDITIONS:

Planning and Development

1. This Special Use shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to all City Code standards for a supper club.
3. A waiver is granted to the 400 foot separation distance from a City park.
4. Approval of this Special Use Permit does not constitute issuance of a liquor license.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5423 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST 95, LLC - Request for a Special Use Permit FOR A CONVENIENCE STORE (WITH FUEL PUMPS) adjacent to the northeast corner of Durango Drive and Oso Blanca Road (APN 125-17-701-001), T-C (Town Center) Zone, [SC-TC (Service Commercial) Town Center Special Land Use Designation], Ward 6 (Mack).

C.C.: 01/05/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477]– UNANIMOUS with McSWAIN abstaining on Item 21 [SDR-5493] because her company, Terra Contracting, is currently working on the project

To be heard by the City Council on 1/05/2005

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 8 – SUP-5423

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477].

BRENT WILSON, VTN, 2727 South Rainbow Boulevard, appeared on behalf of the applicant for Item 23 [VAC-5464] and asked that the item be pulled from the One Motion One Vote agenda and heard separately.

COMMISSIONER STEINMAN asked that Item 12 [SUP-5427], Item 13 [SUP-5428], Item 14 [SUP-5429], Item 15 [SUP-5430], Item 16 [SUP-5431], Item 17 [SUP-5432], Item 18 [SUP-5433], Item 19 [SUP-5434] and Item 20 [SUP-5435] be pulled from the One Motion One Vote agenda.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477].

(6:21 – 6:28)

1-639

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements under the town Center Development Standards Manual for a gasoline sales use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3795].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5424 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST 95, LLC - Request for a Special Use Permit FOR A CAR WASH (AUTOMATIC) adjacent to the northeast corner of Durango Drive and Oso Blanca Road (APN 125-17-701-001), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 01/05/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477]– UNANIMOUS with McSWAIN abstaining on Item 21 [SDR-5493] because her company, Terra Contracting, is currently working on the project

To be heard by the City Council on 1/05/2005

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 9 – SUP-5424

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477].

BRENT WILSON, VTN, 2727 South Rainbow Boulevard, appeared on behalf of the applicant for Item 23 [VAC-5464] and asked that the item be pulled from the One Motion One Vote agenda and heard separately.

COMMISSIONER STEINMAN asked that Item 12 [SUP-5427], Item 13 [SUP-5428], Item 14 [SUP-5429], Item 15 [SUP-5430], Item 16 [SUP-5431], Item 17 [SUP-5432], Item 18 [SUP-5433], Item 19 [SUP-5434] and Item 20 [SUP-5435] be pulled from the One Motion One Vote agenda.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477].

(6:21 – 6:28)

1-639

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements under the Town Center Development Standards Manual for a car wash (automatic) use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3795].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5425 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST 95, LLC - Request for a Special Use Permit FOR ALCOHOLIC BEVERAGE SALES / LIQUOR STORE adjacent to the northeast corner of Durango Drive and Oso Blanca Road (APN 125-17-701-001), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 01/05/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477]– UNANIMOUS with McSWAIN abstaining on Item 21 [SDR-5493] because her company, Terra Contracting, is currently working on the project

To be heard by the City Council on 1/05/2005

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 10 – SUP-5425

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477].

BRENT WILSON, VTN, 2727 South Rainbow Boulevard, appeared on behalf of the applicant for Item 23 [VAC-5464] and asked that the item be pulled from the One Motion One Vote agenda and heard separately.

COMMISSIONER STEINMAN asked that Item 12 [SUP-5427], Item 13 [SUP-5428], Item 14 [SUP-5429], Item 15 [SUP-5430], Item 16 [SUP-5431], Item 17 [SUP-5432], Item 18 [SUP-5433], Item 19 [SUP-5434] and Item 20 [SUP-5435] be pulled from the One Motion One Vote agenda.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477].

(6:21 – 6:28)

1-639

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under the Town Center Development Standards Manual for an Alcoholic Beverage Sales/Liquor Store use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (z-0076-98) and Site Development Plan Review (SDR-3795).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. All conditions of approval shall conform to the Town Center Development Standards Manual.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5426 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST 95, LLC - Request for a Special Use Permit FOR AN AUTO REPAIR GARAGE (MINOR) adjacent to the northeast corner of Durango Drive and Oso Blanca Road (APN 125-17-701-001), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 01/05/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477]– UNANIMOUS with McSWAIN abstaining on Item 21 [SDR-5493] because her company, Terra Contracting, is currently working on the project

To be heard by the City Council on 1/05/2005

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 11 – SUP-5426

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477].

BRENT WILSON, VTN, 2727 South Rainbow Boulevard, appeared on behalf of the applicant for Item 23 [VAC-5464] and asked that the item be pulled from the One Motion One Vote agenda and heard separately.

COMMISSIONER STEINMAN asked that Item 12 [SUP-5427], Item 13 [SUP-5428], Item 14 [SUP-5429], Item 15 [SUP-5430], Item 16 [SUP-5431], Item 17 [SUP-5432], Item 18 [SUP-5433], Item 19 [SUP-5434] and Item 20 [SUP-5435] be pulled from the One Motion One Vote agenda.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477].

(6:21 – 6:28)

1-639

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements under the Town Center Development Standards Manual for an Auto Repair Garage (Minor).
2. Approval of and conformance to the Conditions of Approval for Rezoning (z-0076-98) and Site Development Plan Review (SDR-3795).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. All conditions of approval shall conform to the Town Center Development Standards Manual.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5427 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER:
NORTHWEST 95, LLC - Request for a Special Use Permit FOR A RESTAURANT (WITH DRIVE-THRU) adjacent to the southwest of the corner of Farm Road and Oso Blanca Road (APN 125-17-301-003), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 01/05/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 1/05/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 12 [SUP-5427], Item 13 [SUP-5428], Item 14 [SUP-5429], Item 15 [SUP-5430], Item 16 [SUP-55431], Item 17 [SUP-5432], Item 18 [SUP-5433], Item 19 [SUP-5434] and Item 20 [SUP-5435].

GARY LEOBOLD, Planning & Development Department, explained that he would not be doing an individual presentation on items 12 through 20 because it is a group of similar applications for a commercial development. All applications combined would cover four restaurants with drive-thru service and five supper clubs. Twelve of these applications were previously approved as Special Use Permits and now, there are 13, including the items that were not pulled from the One Motion One Vote agenda. Those previously approved permits have now expired and there is a new Site Plan that changes the configuration of the pads, resulting in the additional application.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 12 – SUP-5427

MINUTES – Continued:

MR. LEOBOLD indicated that there were not any protected uses within 400 feet of the site and the parking continues to meet or exceed Title 19 standards for all of the applications. Staff recommended approval.

COMMISSIONER STEINMAN stated that he called the items forward not because of the uses, but because of the traffic mitigation. He asked MR. LELEU if a traffic study was completed for this site. JOHN LELEU, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and replied that he could not verify with certainty but did not think a study had been done for the site. COMMISSIONER STEINMAN explained that he felt a study was warranted for this site because of an “S” type curve adjacent to the property. He did not see that there were any plans for removal of the “S” curve and he felt the traffic generated from the many restaurants onto a two-lane road would be troublesome. He asked if perhaps the road was going to be made into four lanes.

DAVID GUERRA, Public Works Department, confirmed for the Commissioners that there are plans to make the street four-lanes wide. COMMISSIONER STEINMAN confirmed with MR. GUERRA that there are no plans to signalize the driveway intersection at this time; however, if the intersection were to meet warrants for signalization, it would be done in the future. He asked if the number of restaurants or number of homes surrounding the center determines the warrants. MR. GUERRA explained that the warrant guidelines are established in the Manual for Uniform Traffic Control Devices (MUTCD), which is a federal publication. There are a number of warrants based on several variables including traffic volume, wait times and pedestrian movements. COMMISSIONER STEINMAN confirmed that a traffic study was not required for the Special Use Permits; however, a study could be imposed during Zoning or Site Plan Review.

COMMISSIONER STEINMAN stated that this is a prime example of when traffic studies are needed so the Commission can make educated decisions. Putting so many restaurants in one place along one frontage road requires mitigation items to understand what will happen there. He was not in favor of voting on these types of applications without a traffic study. The Commissioner pointed out that this is often a problem with the new condominium developments being seen and now, with several restaurants.

COMMISSIONER STEINMAN continued by saying he was not opposed to the development at this site; however, he did feel that there should be more planning regarding how to handle the traffic. MR. LELEU pointed out for the Commissioner that there is another exit onto Farm Road and a third exit onto Severance Lane as well. He acknowledged that they might not be the most convenient for the restaurants but they do exist.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 12 – SUP-5427

MINUTES – Continued:

CHAIRMAN TRUESDELL confirmed with MR. LEOBOLD that a Site Development Plan review was approved previously and that an administrative revision was made to that plan and the most recent version is reflected in the backup. The Chairman stated that the Site Plan in the backup did indicate the developer's proposed signal at a crossroads within the center and, although it is addressed in the plans, the City cannot require the installation of that signal if warrants were not met. COMMISSIONER STEINMAN interjected that the City could impose that condition in this instance because Special Use Permits were involved and that it is the time to impose special conditions that are out of the ordinary. MR. LEOBOLD stated that the function of a Special Use Permit is to identify if the use is appropriate while the purpose of the Site Plan Review to pull all the points together such as where the access points should be located and how to handle the traffic etc. A condition such as that being discussed would normally be imposed under the Site Plan application. MR. GUERRA agreed that the Site Plan did have requirements for a traffic study and an initial traffic study was done approximately four years ago. At that time, there may not have been enough information to complete a thorough study.

CHAIRMAN TRUESDELL did not feel the Commission could require a light without warrants being met. He stated that this project is part of a frontage road system, part of a loop system and part of Town Center so, there were several traffic issues raised for the whole area and each Site Plan that comes forward gets additional conditions to meet the area requirements. Nothing that has been imposed in the past is being waived. The Commission is considering extending or renewing these applications for this proposed site only.

COMMISSIONER STEINMAN voiced concern over these applications getting lost in the shuffle relative to all of the local activity and the widening of the road. He wanted assurance that the traffic would be mitigated on a project of this intensity. He did not want to stop development; he only wanted confirmation that mitigation on the site would be addressed. CHAIRMAN TRUESDELL assured him by saying that the Public Works Department is incredibly focused on this area because there is a Special Improvement District and freeway off ramps that are nearby. The Chairman did not feel this project would get lost in the shuffle.

COMMISSIONER McSWAIN acknowledged COMMISSIONER STEINMAN'S concerns relative to this group of applications and stated that in the context of the rest of the application, she was comfortable with the decisions the board would have made on the Site Plan Review.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 12 [SUP-5427], Item 13 [SUP-5428], Item 14 [SUP-5429], Item 15 [SUP-5430], Item 16 [SUP-55431], Item 17 [SUP-5432], Item 18 [SUP-5433], Item 19 [SUP-5434] and Item 20 [SUP-5435].

(6:28 – 6:40)

1-881

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 12 – SUP-5427

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements under the Town Center Development Standards Manual for a Restaurant (with Drive-Through).
2. Approval of and conformance to the Conditions of Approval for Rezoning (z-0076-98) and Site Development Plan Review (SDR-3795).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. All conditions of approval shall conform to the Town Center Development Standards Manual.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5428 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST 95, LLC - Request for a Special Use Permit FOR A RESTAURANT (WITH DRIVE-THRU) adjacent to the southwest corner of Farm Road and Oso Blanca Road (APN 125-17-301-003), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 01/05/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 1/05/2005

MINUTES:

See Item 12 [SUP-5427] for all related discussion on Item 12 [SUP-5427], Item 13 [SUP-5428], Item 14 [SUP-5429], Item 15 [SUP-5430], Item 16 [SUP-55431], Item 17 [SUP-5432], Item 18 [SUP-5433], Item 19 [SUP-5434] and Item 20 [SUP-5435].

(6:28 – 6:40)

1-881

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under the Town Center Development Standards Manual for a Restaurant (with Drive-Through) use.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 13 – SUP-5428

CONDITIONS – Continued:

2. Approval of and conformance to the Conditions of Approval for Rezoning (z-0076-98) and Site Development Plan Review (SDR-3795).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. All conditions of approval shall conform to the Town Center Development Standards Manual.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5429 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST 95, LLC - Request for a Special Use Permit FOR A RESTAURANT (WITH DRIVE-THRU) adjacent to the southwest corner of Farm Road and Oso Blanca Road (APN 125-17-301-003), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 01/05/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 1/05/2005

MINUTES:

See Item 12 [SUP-5427] for all related discussion on Item 12 [SUP-5427], Item 13 [SUP-5428], Item 14 [SUP-5429], Item 15 [SUP-5430], Item 16 [SUP-55431], Item 17 [SUP-5432], Item 18 [SUP-5433], Item 19 [SUP-5434] and Item 20 [SUP-5435].

(6:28 – 6:40)

1-881

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under the Town Center Development Standards Manual for a Restaurant (with Drive-Thru) use.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 14 – SUP-5429

CONDITIONS – Continued:

2. Approval of and conformance to the Conditions of Approval for Rezoning (z-0076-98) and Site Development Plan Review (SDR-3795).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. All conditions of approval shall conform to the Town Center Development Standards Manual.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5430 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER:
NORTHWEST 95, LLC - Request for a Special Use Permit FOR A RESTAURANT (WITH DRIVE-THRU) adjacent to the southwest corner of Farm Road and Oso Blanca Road (APN 125-17-301-003), T-C (Town Center) Zone, [SC-TC (Service Commercial) Town Center Special Land Use Designation], Ward 6 (Mack).

C.C.: 01/05/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 1/05/2005

MINUTES:

See Item 12 [SUP-5427] for all related discussion on Item 12 [SUP-5427], Item 13 [SUP-5428], Item 14 [SUP-5429], Item 15 [SUP-5430], Item 16 [SUP-55431], Item 17 [SUP-5432], Item 18 [SUP-5433], Item 19 [SUP-5434] and Item 20 [SUP-5435].

(6:28 – 6:40)

1-881

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under the Town Center Development Standards Manual for a Restaurant (with Drive-Thru) use.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 15 – SUP-5430

CONDITIONS – Continued:

2. Approval of and conformance to the Conditions of Approval for Rezoning (z-0076-98) and Site Development Plan Review (SDR-3795).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. All conditions of approval shall conform to the Town Center Development Standards Manual.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5431 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER:
NORTHWEST 95, LLC - Request for a Special Use Permit FOR A SUPPER CLUB adjacent to the southwest corner of Farm Road and Oso Blanca Road (APN 125-17-301-003), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 01/05/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 1/05/2005

MINUTES:

See Item 12 [SUP-5427] for all related discussion on Item 12 [SUP-5427], Item 13 [SUP-5428], Item 14 [SUP-5429], Item 15 [SUP-5430], Item 16 [SUP-55431], Item 17 [SUP-5432], Item 18 [SUP-5433], Item 19 [SUP-5434] and Item 20 [SUP-5435].

(6:28 – 6:40)

1-881

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under the Town Center Development Standards Manual for a Restaurant Service Bar/Supper Club use.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 16 – SUP-5431

CONDITIONS – Continued:

2. Approval of and conformance to the Conditions of Approval for Rezoning (z-0076-98) and Site Development Plan Review (SDR-3795).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. All conditions of approval shall conform to the Town Center Development Standards Manual.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5432 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER:
NORTHWEST 95, LLC - Request for a Special Use Permit FOR A SUPPER CLUB adjacent to the southwest corner of Farm Road and Oso Blanca Road (APN 125-17-301-003), T-C (Town Center) Zone, [SC-TC (Service Commercial) Town Center Special Land Use Designation], Ward 6 (Mack).

C.C.: 01/05/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 1/05/2005

MINUTES:

See Item 12 [SUP-5427] for all related discussion on Item 12 [SUP-5427], Item 13 [SUP-5428], Item 14 [SUP-5429], Item 15 [SUP-5430], Item 16 [SUP-55431], Item 17 [SUP-5432], Item 18 [SUP-5433], Item 19 [SUP-5434] and Item 20 [SUP-5435].

(6:28 – 6:40)

1-881

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under the Town Center Development Standards Manual for a Restaurant Service Bar/Supper Club use.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 17 – SUP-5432

CONDITIONS – Continued:

2. Approval of and conformance to the Conditions of Approval for Rezoning (z-0076-98) and Site Development Plan Review (SDR-3795).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council. New Construction
4. All City Code requirements and design standards of all City departments must be satisfied.
5. All conditions of approval shall conform to the Town Center Development Standards Manual.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5433 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER:
NORTHWEST 95, LLC - Request for a Special Use Permit FOR A SUPPER CLUB adjacent to the southwest corner of Farm Road and Oso Blanca Road (APN 125-17-301-003), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 01/05/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 1/05/2005

MINUTES:

See Item 12 [SUP-5427] for all related discussion on Item 12 [SUP-5427], Item 13 [SUP-5428], Item 14 [SUP-5429], Item 15 [SUP-5430], Item 16 [SUP-55431], Item 17 [SUP-5432], Item 18 [SUP-5433], Item 19 [SUP-5434] and Item 20 [SUP-5435].

(6:28 – 6:40)

1-881

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under the Town Center Development Standards Manual for a Restaurant Service Bar/Supper Club use.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 18 – SUP-5433

CONDITIONS – Continued:

2. Approval of and conformance to the Conditions of Approval for Rezoning (z-0076-98) and Site Development Plan Review (SDR-3795).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. All conditions of approval shall conform to the Town Center Development Standards Manual.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5434 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER:
NORTHWEST 95, LLC - Request for a Special Use Permit FOR SUPPER CLUB adjacent to the southwest corner of Farm Road and Oso Blanca Road (APN 125-17-301-003), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 01/05/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 1/05/2005

MINUTES:

See Item 12 [SUP-5427] for all related discussion on Item 12 [SUP-5427], Item 13 [SUP-5428], Item 14 [SUP-5429], Item 15 [SUP-5430], Item 16 [SUP-55431], Item 17 [SUP-5432], Item 18 [SUP-5433], Item 19 [SUP-5434] and Item 20 [SUP-5435].

(6:28 – 6:40)

1-881

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under the Town Center Development Standards Manual for a Restaurant Service Bar/Supper Club use.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 19 – SUP-5434

CONDITIONS – Continued:

2. Approval of and conformance to the Conditions of Approval for Rezoning (z-0076-98) and Site Development Plan Review (SDR-3795).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. All conditions of approval shall conform to the Town Center Development Standards Manual.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5435 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER:
NORTHWEST 95, LLC - Request for a Special Use Permit FOR SUPPER CLUB adjacent to the southwest corner of Farm Road and Oso Blanca Road (APN 125-17-301-003), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 01/05/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 1/05/2005

MINUTES:

See Item 12 [SUP-5427] for all related discussion on Item 12 [SUP-5427], Item 13 [SUP-5428], Item 14 [SUP-5429], Item 15 [SUP-5430], Item 16 [SUP-55431], Item 17 [SUP-5432], Item 18 [SUP-5433], Item 19 [SUP-5434] and Item 20 [SUP-5435].

(6:28 – 6:40)

1-881

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under the Town Center Development Standards Manual for a Supper Club use.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 20 – SUP-5435

CONDITIONS – Continued:

2. Approval of and conformance to the Conditions of Approval for Rezoning (z-0076-98) and Site Development Plan Review (SDR-3795).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. All conditions of approval shall conform to the Town Center Development Standards Manual.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5493 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: COLERAINE CAPITAL GROUP, INC - OWNER: BOULDERS APARTMENTS, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 388 UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 21.30 acres at 3450 North Hualapai Way (APN 138-07-301-002,-008,-009, and 138-07-401-002), PD (Planned Development) Zone, Ward 4 (Brown).

C.C. 01/05/05

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477]– UNANIMOUS with McSWAIN abstaining on Item 21 [SDR-5493] because her company, Terra Contracting, is currently working on the project

To be heard by the City Council on 1/05/2005

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 21 – SDR-5493

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477].

BRENT WILSON, VTN, 2727 South Rainbow Boulevard, appeared on behalf of the applicant for Item 23 [VAC-5464] and asked that the item be pulled from the One Motion One Vote agenda and heard separately.

COMMISSIONER STEINMAN asked that Item 12 [SUP-5427], Item 13 [SUP-5428], Item 14 [SUP-5429], Item 15 [SUP-5430], Item 16 [SUP-5431], Item 17 [SUP-5432], Item 18 [SUP-5433], Item 19 [SUP-5434] and Item 20 [SUP-5435] be pulled from the One Motion One Vote agenda.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477].

(6:21 – 6:28)

1-639

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations of Site Development Plan Review [Z-0033-97(8)], except as amended by conditions herein.
3. Prior to the submittal of a Final Map, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 21 – SDR-5493

CONDITIONS – Continued:

Public Works

5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
6. All active gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
7. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
8. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid prior to the recordation of a Final Map for this site.
9. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAC-5408 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: SHADOW HILLS PLAZA, LLC - Petition to Vacate a Drainage Easement generally located between Cheyenne Avenue and Buckskin Avenue, west of Shady Timber Street, Ward 4 (Brown).

SET DATE: 12/15/04 C.C. 01/05/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477]– **UNANIMOUS** with McSWAIN abstaining on Item 21 [SDR-5493] because her company, Terra Contracting, is currently working on the project

To be heard by the City Council on 1/05/2005

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477].

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 22 – VAC-5408

MINUTES – Continued:

BRENT WILSON, VTN, 2727 South Rainbow Boulevard, appeared on behalf of the applicant for Item 23 [VAC-5464] and asked that the item be pulled from the One Motion One Vote agenda and heard separately.

COMMISSIONER STEINMAN asked that Item 12 [SUP-5427], Item 13 [SUP-5428], Item 14 [SUP-5429], Item 15 [SUP-5430], Item 16 [SUP-5431], Item 17 [SUP-5432], Item 18 [SUP-5433], Item 19 [SUP-5434] and Item 20 [SUP-5435] be pulled from the One Motion One Vote agenda.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477].

(6:21 – 6:28)

1-639

CONDITIONS:

1. Compliance with approved Drainage Study.
2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 22 – VAC-5408

CONDITIONS – Continued:

5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAC-5464 - VACATION - PUBLIC HEARING - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LLC - Petition to Vacate a portion of Maggie Avenue generally located east of Maverick Street, Ward 6 (Mack).

SET DATE: 12/15/04 C.C. 01/05/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions and amending the following condition:

1. A vacation application must be approved by the Clark County Commission for the southern portion of Maggie Avenue adjacent to parcel 125-11-507-001; such Vacation shall record concurrently with this Order of Vacation. If either Order of Vacation cannot record or does not record, then neither Order of Vacation shall record *unless an additional 30 feet of half-street right-of-way, and an appropriate turn around acceptable to Public Works, is dedicated for Maggie Avenue adjacent to parcel 125-11-503-001.*
. – UNANIMOUS – with NIGRO abstaining because he is in litigation with one of the principals on the application and McSWAIN abstaining because her company, Terra Contracting, is currently doing work for Sterling S Development

To be heard by City Council 1/05/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, explained that approval of this application would facilitate the closure of Maggie Avenue and allow for a 33-lot residential subdivision to be developed.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 23 – VAC-5464

MINUTES – Continued:

The request is acceptable because the land is not being used as right-of-way, the vacation would not reduce the traffic handling capability in the area and it would not limit access to abutting parcels.

BRENT WILSON, VTN, 2727 South Rainbow Boulevard, appeared on behalf of the applicant and stated that the applicant concurred with all conditions including the revised verbiage of Condition 1 recently amended by Public Works staff. DAVID GUERRA, Public Works Department, confirmed that a revision was made and he read the amended condition into the record.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(6:40 – 6:43)

1-1306

CONDITIONS:

1. A vacation application must be approved by the Clark County Commission for the southern portion of Maggie Avenue adjacent to parcel 125-11-507-001; such Vacation shall record concurrently with this Order of Vacation. If either Order of Vacation cannot record or does not record, then neither Order of Vacation shall record.
2. This Order of Vacation shall record prior to the recordation of any Final Maps overlying any parcel or any portion of any parcel adjacent to or abutting the subject right-of-way.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Zoning Reclassification ZON-5302 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
4. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 23 – VAC-5464

CONDITIONS – Continued:

6. All development shall be in conformance with code requirements and design standards of all City Departments.
7. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
8. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAC-5477 - VACATION - PUBLIC HEARING - APPLICANT: CW GROUP - OWNER: FORT APACHE/CHEYENNE HOLDINGS LLC - Petition to Vacate U.S. Government Patent Easements generally located west of Fort Apache Road and north of Cheyenne Avenue, Ward 4 (Brown).

SET DATE: 12/15/04 C.C. 01/05/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477]– **UNANIMOUS** with McSWAIN abstaining on Item 21 [SDR-5493] because her company, Terra Contracting, is currently working on the project

To be heard by the City Council on 1/05/2005

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 24 – VAC-5477

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477].

BRENT WILSON, VTN, 2727 South Rainbow Boulevard, appeared on behalf of the applicant for Item 23 [VAC-5464] and asked that the item be pulled from the One Motion One Vote agenda and heard separately.

COMMISSIONER STEINMAN asked that Item 12 [SUP-5427], Item 13 [SUP-5428], Item 14 [SUP-5429], Item 15 [SUP-5430], Item 16 [SUP-55431], Item 17 [SUP-5432], Item 18 [SUP-5433], Item 19 [SUP-5434] and Item 20 [SUP-5435] be pulled from the One Motion One Vote agenda.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 7 [SUP-5422], Item 8 [SUP-5423], Item 9 [SUP-5424], Item 10 [SUP-5425], Item 11 [SUP-5426], Item 21 [SDR-5493], Item 22 [VAC-5408] and Item 24 [VAC-5477].

(6:21 – 6:28)

1-639

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Zoning Reclassification ZON-2576 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 24 – VAC-5477

CONDITIONS – Continued:

security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

5. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - GPA-5102 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: CHARLESTON LAMB, LLC - OWNER: A F CONSTRUCTION INC. - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: ML (MEDIUM-LOW DENSITY RESIDENTIAL) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 3.40 acres adjacent to the north side of Wales Green Lane, approximately 750 feet west of Lamb Boulevard and 350 feet south of Sunrise Avenue (APN 140-31-801-001), Ward 3 (Reese).

APPLICANT REQUESTS THIS ITEM BE TABLED

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends TABLED

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and TABLE Item 25 [GPA-5102], Item 26 [VAR-5113], Item 27 [ZON-5106], Item 28 [VAR-5110], Item 29 [WVR-5294] and Item 30 [SDR-5108] and to WITHDRAW WITHOUT PREJUDICE Item 36 [VAR-5459], Item 44 [SUP-5471], and Item 45 [SUP-5472] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:11 – 6:15)

1-300

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - VAR-5113 - VARIANCE RELATED TO GPA-5102 - PUBLIC HEARING - APPLICANT: CHARLESTON LAMB, LLC - OWNER: A F CONSTRUCTION INC - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 3.40 ACRES WHERE FIVE ACRES IS THE MINIMUM REQUIRED north of Wales Green Lane, approximately 750 feet west of Lamb Boulevard and 350 feet south of Sunrise Avenue (APN 140-31-801-001), R-1 (Single-Family Residential) Zone [PROPOSED: R-PD11 (Residential Planned Development - 11 Units per Acre) Zone], Ward 3 (Reese).

APPLICANT REQUESTS THE ITEM BE HELD IN ABEYANCE TO 02/10/05 PC.

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and TABLE Item 25 [GPA-5102], Item 26 [VAR-5113], Item 27 [ZON-5106], Item 28 [VAR-5110], Item 29 [WVR-5294] and Item 30 [SDR-5108] and to WITHDRAW WITHOUT PREJUDICE Item 36 [VAR-5459], Item 44 [SUP-5471], and Item 45 [SUP-5472] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:11 – 6:15)

1-300

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - ZON-5106 - REZONING RELATED TO GPA-5102 AND VAR-5113 - PUBLIC HEARING - APPLICANT: CHARLESTON LAMB, LLC - OWNER: A F CONSTRUCTION INC - Request for a Rezoning FROM: R-1 (SINGLE-FAMILY RESIDENTIAL) TO: R-PD11 (RESIDENTIAL PLANNED DEVELOPMENT - 11 UNITS PER ACRE) on 3.40 acres north of Wales Green Lane, approximately 750 feet west of Lamb Boulevard and 350 feet south of Sunrise Avenue (APN 140-31-801-001), Ward 3 (Reese).

APPLICANT REQUESTS THE ITEM BE HELD IN ABEYANCE TO 02/10/05 PC.

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and TABLE Item 25 [GPA-5102], Item 26 [VAR-5113], Item 27 [ZON-5106], Item 28 [VAR-5110], Item 29 [WVR-5294] and Item 30 [SDR-5108] and to WITHDRAW WITHOUT PREJUDICE Item 36 [VAR-5459], Item 44 [SUP-5471], and Item 45 [SUP-5472] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:11 – 6:15)

1-300

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - VAR-5110 - VARIANCE RELATED TO GPA-5102, VAR-5113 AND ZON-5106 - PUBLIC HEARING - APPLICANT: CHARLESTON LAMB, LLC - OWNER: A F CONSTRUCTION INC - Request for a Variance TO ALLOW ZERO ACRES OF OPEN SPACE WHERE 0.61 ACRES IS THE MINIMUM REQUIRED in conjunction with a proposed 37-lot single family residential development on 3.40 acres north of Wales Green Lane, approximately 750 feet west of Lamb Boulevard and 350 feet south of Sunrise Avenue (APN 140-31-801-001), R-1 (Single-Family Residential) Zone [PROPOSED: R-PD11 (Residential Planned Development - 11 Units per Acre)], Ward 3 (Reese).

APPLICANT REQUESTS THE ITEM BE HELD IN ABEYANCE TO 02/10/05 PC.

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and TABLE Item 25 [GPA-5102], Item 26 [VAR-5113], Item 27 [ZON-5106], Item 28 [VAR-5110], Item 29 [WVR-5294] and Item 30 [SDR-5108] and to WITHDRAW WITHOUT PREJUDICE Item 36 [VAR-5459], Item 44 [SUP-5471], and Item 45 [SUP-5472] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:11 – 6:15)

1-300

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - WVR-5294 - WAIVER RELATED TO GPA-5102, VAR-5113, ZON-5106 AND VAR-5110 - PUBLIC HEARING - APPLICANT: CHARLESTON LAMB, LLC - OWNER: A F CONSTRUCTION INC - Request for a Waiver of TITLE 18.12.100 TO ALLOW 32-FOOT WIDE PRIVATE STREETS WHERE 39 FEET IS THE MINIMUM REQUIRED WITH ROLL CURBS, AND OF TITLE 18.12.130, TO ALLOW A DRIVE IN EXCESS OF 150 FEET WITHOUT A CIRCULAR TURNAROUND OR EMERGENCY ACCESS GATE on 3.40 acres north of Wales Green Lane, approximately 750 feet west of Lamb Boulevard and 350 feet south of Sunrise Avenue (APN 140-31-801-001), R-1 (Single-Family Residential) Zone [PROPOSED: R-PD11 (Residential Planned Development – 11 Units per Acre)], Ward 3 (Reese).

APPLICANT REQUESTS THE ITEM BE HELD IN ABEYANCE TO 02/10/05 PC.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and TABLE Item 25 [GPA-5102], Item 26 [VAR-5113], Item 27 [ZON-5106], Item 28 [VAR-5110], Item 29 [WVR-5294] and Item 30 [SDR-5108] and to WITHDRAW WITHOUT PREJUDICE Item 36 [VAR-5459], Item 44 [SUP-5471], and Item 45 [SUP-5472] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:11 – 6:15)

1-300

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SDR-5108 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5102, VAR-5113, ZON-5106, VAR-5110 AND WVR-5294 - PUBLIC HEARING - APPLICANT: CHARLEST-ON LAMB, LLC - OWNER: A F CONSTRUCTION INC - Request for a Site Development Plan Review FOR A 37-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 3.40 acres north of Wales Green Lane, approximately 750 feet west of Lamb Boulevard and 350 feet south of Sunrise Avenue (APN 140-31-801-001), R-1 (Single-Family Residential) Zone [PROPOSED: R-PD11 (Residential Planned Development – 11 Units per Acre)], Ward 3 (Reese).

APPLICANT REQUESTS THE ITEM BE HELD IN ABEYANCE TO 02/10/05 PC.

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and TABLE Item 25 [GPA-5102], Item 26 [VAR-5113], Item 27 [ZON-5106], Item 28 [VAR-5110], Item 29 [WVR-5294] and Item 30 [SDR-5108] and to WITHDRAW WITHOUT PREJUDICE Item 36 [VAR-5459], Item 44 [SUP-5471], and Item 45 [SUP-5472] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:11 – 6:15)

1-300

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - SDR-5179 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: SANDHURST DEVELOPMENT, LLC - Request for a Site Development Plan Review FOR A PROPOSED 35 STORY MIXED-USE DEVELOPMENT IN PARKWAY CENTER TO INCLUDE 413 RESIDENTIAL UNITS AND 35,435 SQUARE FEET OF COMMERCIAL SPACE on 3.23 acres on the north side of Iron Horse Court, approximately 300 feet east of Grand Central Parkway, (APN 139-33-810-006), PD (Planned Development) Zone, Ward 5 (Weekly).

C.C. 01/05/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions and amending the following condition:

19. **Coordinate with the Collection Systems Planning section of the Department of Public Works to enter into a sewer over sizing agreement to provide sewer to this site. Such agreement shall be executed prior to the submittal of construction drawings unless otherwise allowed by the City Engineer.**

– UNANIMOUS

To be heard by the City Council on 12/15/2005

NOTE: Chairman Truesdell disclosed that he owns property in the downtown area that is not within the Notification area, so he would be voting on this item.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 31 – SDR-5179

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

MARGO WHEELER, Planning and Development Department, stated that this project is located west of the Union Pacific Railroad tracks and north of Charleston Boulevard, essentially across from the Holsum Bakery Live Work project that is currently under construction. The proposed project is a 35-story mixed-use development, which includes both commercial on the ground floor and over 400 residential units. The proposed property is within the original boundaries of the Redevelopment Project area adopted in 1986 and is part of the original Downtown Centennial Plan area adopted in 2000. The project has been reviewed by the Parkway Center Architectural Review Committee, which reviews projects west of the railroad tracks.

The applicant has recommended some amendments to the project, which are reflected in Condition 6. There is also a Waiver, which staff recommended approval due to the fact that the proposed lot is an unusual shape.

MS. WHEELER pointed out that this item needed to be fast tracked to the December 15, 2004, City Council meeting. The project was delayed due to a notification error.

ED VANCE, JMA Architecture Studios, 10150 Covington Cross Drive, Las Vegas, NV 89144 appeared with the owner, JESSE GONZALES, Sandhurst Development, LLC. MR. VANCE expressed appreciation for staff's recommendations, including the acceptance of the Waivers. He used photos and a model to give a brief description of the proposed project. There is a very narrow entrance to the structure and it is a very dense project. He stated that there are six floors at the podium level, which includes amenities such as a health spa, fitness area, restaurant and drop off cleaners. The garage is included, which allows the residential units to be on the seventh floor and above so that the views are not obstructed. He added that the proposed project is urban and contemporary and tailored for today's time.

DAVID GUERRA, Public Works, read into record a revision on Condition 19. MR. VANCE concurred with the revision.

COMMISSIONER STEINMAN inquired about a traffic study. MR. VANCE replied that a traffic study is underway. COMMISSIONER STEINMAN commented that traffic studies are a necessity when approving such applications, as the proposed project has only an exit/entrance on a cul-de-sac. The entrance is very near to the Las Vegas 500 Raceway. He questioned the impact the proposed project versus the raceway would have and asked if traffic could exit to the left from the proposed project towards the I-15 Freeway. MR. VANCE replied that traffic would make a left onto Charleston Boulevard to get on the I-15 Freeway going southbound. MR.

GUERRA responded that he did not believe that traffic could turn left out of the proposed project

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 31 – SDR-5179

MINUTES – Continued:

and added that it was his understanding that this site and the intersection was being observed for an overhaul to eliminate the “jug handle” or the turn. MR. VANCE responded that once the overhaul is done, there would be a reconfiguration so that a left turn is possible from the proposed project.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(7:47 – 7:59)

2-533

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped November 8, 2004, except as amended by conditions herein.
3. The Waiver from the Parkway Center build-to requirement is hereby approved, due to the lack of frontage along the public right-of-way.
4. The Waiver from the Downtown Centennial Plan streetscape requirements is hereby approved, provided that the site plan is revised to show the future public sidewalk connections on the abutting properties; the Waiver from the Parkway Center landscape standards for reduced buffer width is also approved. The revised site plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of building permits.
5. A direct pedestrian connection shall be provided from the residential and commercial lobbies to the future public sidewalk on Iron Horse Court in order to clearly indicate the location of the building entries from the public right-of-way. A revised plan depicting this change shall be submitted to the Planning and Development Department for review and approval prior to the time application is made for a building permit.
6. The elevations of the lower three stories of the building shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to continue the level of architectural expression on the upper stories and to enhance façade articulation.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 31 – SDR-5179

CONDITIONS – Continued:

7. The elevations of the parking structure shall be revised and approved by the Planning and Development Department staff, prior to the time application is made for a building permit, to be compatible with the color, texture, architectural features, and articulation of the main building.
8. The Waiver from the requirement for the use of stone veneer on the lower floors of the building is hereby approved; decorative pre-cast concrete panels may be used in place of the required stone, subject to approval of the Planning and Development Department.
9. All landscaping and a permanent underground sprinkler system for the landscape materials shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
10. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
11. The applicant shall be required to provide and install standard Fourth Street style fixtures in place of existing fixtures. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
12. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with the Parkway Center Development Standards. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 31 – SDR-5179

CONDITIONS – Continued:

15. Signage for the development shall be permitted in conformance with the requirements of Parkway Center Development Standards.
16. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
17. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

18. Construct any incomplete half street improvements, including the entire cul-de-sac bulb, adjacent to this site and remove any substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
19. If not already constructed at time of development, construct the oversized Clark Avenue sewer main from Las Vegas Boulevard to 14th Street. Coordinate with the Collection Systems Planning Section of Public Works to determine appropriate public sewer paths to service this site prior to the submittal of any sewer-related construction drawings. The offsite public sewer improvements will be required to provide capacity for this project.
20. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 31 – SDR-5179

CONDITIONS – Continued:

21. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ZON-5488 - REZONING - PUBLIC HEARING - APPLICANT: ALL INVESTMENTS, LLC - OWNER: LAWRENCE E. LERMUSIAUX FAMILY TRUST - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: PD (Planned Development) on 5.00 acres adjacent to the northeast corner of Farm Road and Jensen Street (APN 125-18-201-008), Ward 6 (Mack).

C.C. 01/05/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 1/05/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 32 [ZON-5488], Item 33 [WVR-5603] and Item 34 [SDR-5490].

GARY LEOBOLD, Planning and Development, stated that the applications are designed to facilitate the development of the 21-lot single-family residential development served by a 42-foot wide private street network. With regards to the rezoning, the PD zone is the implementing zone for the Planned Community Development (PCD) General Plan Designation, in which this site falls under. The PCD would allow planned development to be consistent with the applicable standards of the Grand Teton Village Master Development Plan.

The Waiver request is a waiver of Title 18 requirements. An area of the site is limited to three units per acre maximum density, and with the street orientation and the open space, it allows the

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 32 – ZON-5488

MINUTES – Continued:

three-acre maximum to be met. However, the intersection distance for the intersection at Jensen Street and Farm Road falls below the Title 18 waiver. Due to some constraints and the proposed design of the project, staff felt that the waiver could be supported.

BRYAN SAYLOR, RS Consulting, 2641 Rialto Road, appeared on behalf of the applicant and concurred with staff's recommendations.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 32 [ZON-5488], Item 33 [WVR-5603] and Item 34 [SDR-5490].

(7:59 – 8:02)

2-906

CONDITIONS:

Planning and Development

1. A Site Development Plan Review (SDR-5490) and a waiver of intersection offset distance (WVR-5603) applications approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

2. Dedicate 40 feet of right-of-way adjacent to this site for Farm Road, 30 feet for Jensen Street, a 20 foot radius at the northeast corner of Farm Road and Jensen Street and an appropriate radius for the completion of the knuckle at the northwest corner of this site.
3. Construct half-street improvements including appropriate overpaving (if legally able) on Farm Road and Jensen Street adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the northern and western boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
4. Provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any units within this development.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 32 – ZON-5488

CONDITIONS – Continued:

5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

WVR-5603 - WAIVER RELATED TO ZON-5488 - PUBLIC HEARING - APPLICANT: ALL INVESTMENTS,LLC - OWNER: LAWRENCE E. LERMUSIAUX FAMILY TRUST - Request for a Waiver to Title 18.12.160 TO ALLOW APPROXIMATELY 180 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED adjacent to the northeast corner of Farm Road and Jensen Street (APN: 125-18-201-008), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development)], Ward 6 (Mack).

C.C. 01/05/05

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 1/05/2005

MINUTES:

See Item 32 [ZON-5488] for all related discussion on Item 32 [ZON-5488], Item 33 [WVR-5603] and Item 34 [SDR-5490].

(7:59 – 8:02)
2-906

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5488) and Site Development Plan Review (SDR-5490).

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 33 – WVR-5603

CONDITIONS – Continued:

2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5490 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5488 AND WVR-5603 - PUBLIC HEARING - APPLICANT: ALL INVESTMENTS,LLC - OWNER: LAWRENCE E. LERMUSIAUX FAMILY TRUST - Request for a Site Development Plan Review FOR A 21-LOT SINGLE-FAMILY DEVELOPMENT on 5.00 acres (4.2 units per acre) adjacent to the northeast corner of Farm Road and Jensen Street (APN 125-18-201-008), U (Undeveloped) [PCD (Planned Community Development) General Plan Designation], [PROPOSED: PD (Planned Development)], Ward 6 (Mack).

C.C. 01/05/05

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 1/05/2005

MINUTES:

See Item 32 [ZON-5488] for all related discussion on Item 32 [ZON-5488], Item 33 [WVR-5603] and Item 34 [SDR-5490].

(7:59 – 8:02)

2-906

CONDITIONS:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 34 – SDR-5490

CONDITIONS – Continued:

2. All development shall be in conformance with the site plan and building elevations, date stamped October 22, 2004, except as amended by conditions herein.
3. A Rezoning (ZON-5488) to a PD (Planned Development) Zoning District and WVR-5603 for intersection offset approved by the City Council.
4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
5. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
6. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 5 feet on the corner side, and 15 feet in the rear.
7. A revised landscaping plan shall be submitted to Planning and Development prior to the issuance of building permits. The landscape plan shall reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within the buffer along the streets.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
12. Any property line walls shall comply with section 3.6 of the Grand Teton Village Master Development Plan and Design Standards. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 34 – SDR-5490

CONDITIONS – Continued:

15. All City Code requirements and design standards of all City departments and as outlined in the Grand Teton Village Master Plan and Design Standards must be satisfied.

Public Works

16. Gated access driveways, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
18. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
19. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5488 and all other subsequent site-related actions.
20. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5457 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LPN ARCHITECT - OWNER: BRE/ESA PROPERTIES, L.L.C. - Request for a Special Use Permit FOR A 120-UNIT RESIDENCE HOTEL at 2000 Paradise Road (APN 162-03-411-012), R-5 (Apartment) Zone, Ward 3 (Reese).

C.C.: 01/05/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Planning Commission – Photo packet with a Parking Analysis Report and Paradise Road Loading Zone Variance from J.R. Rodine

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with DAVENPORT abstaining as his wife owns property in the Downtown area, TRUESDELL abstaining as he owns property in the Notification area and EVANS voting No

To be heard by the City Council on 1/05/2005

NOTE: Commissioner Davenport included Item 36 [VAR-5459] when he abstained on Item 35 [SUP-5457], Item 37 [VAR-5458] and Item 38 [SDR-5456]. However, Item 36 [VAR-5459] was already included in the motion for the Abeyance/Withdrawal/Tabled items. Deputy City Attorney Bryan Scott confirmed that it was acceptable that Commissioner Davenport voted on Item 36 [VAR-5459], as it was a Withdrawal item and not a substantive motion.

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 35 [SUP-5457], Item 37 [VAR-5458] and Item 38 [SDR-5456].

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 35 – SUP-5457

MINUTES – Continued:

MARGO WHEELER, Planning and Development, stated that the propose project is on a site that is located east of Las Vegas Boulevard, on the south side of St. Louis Avenue. It is currently developed with an apartment complex. The project meets the zoning and General Plan for the area, the applications are discretionary actions, which require the review of the Planning Commission based on the project's use and design and compatibility with the neighborhood. In this case, staff recommended denial based upon the applicant not being able to provide adequate parking based on the amount of building they are requesting on the site. There are additional waivers relative to landscaping that staff could not support. Even though the proposed project met general plan and zoning for the area, there are R-1 properties to the east of this site. In addition, the project abuts the alley of properties facing Las Vegas Boulevard. As a result, the proposed project is within the entryway to the residential neighborhood.

J.R. RODINE, Blackstone Real Estate Equities, introduced other project team members: RICHARD MARRIOTTI, Landscape Architect; DON CAMPBELL, Transportation and Parking Consultant, Fehr and Peers Transportation Consultants, 12005 Broken Hill Road, Reno, NV; DAN STERNS, Director-Construction, Extended Stay America, 2150 120th Place SE, Bellevue, WA 98005; and ALLEN WYTTEBACH, Project Architect. MR. RODINE continued by stating that the proposed project is one of 500 that Blackstone Real Estate Equities bought in a package when Extended Stay America was purchased earlier this year. This property was identified as needing to be completely revitalized and redeveloped. Consideration was taken to renovate the existing site; however, it was decided that it was more appropriate to use the same amount of monies that it would require for renovation and use it towards redeveloping the site. He then submitted a packet with photos and two reports dealing with loading zone variance and parking analysis. He thanked two City planners, FLINN FAGG and STEVE SCOTT, for their assistance in working through the project design, as they felt the proposed project had the best possible design.

MR. RODINE continued by asking for clarification on staff's recommendation for denial, as he felt it was contradictory to previous conversations, as well as, staff's report. He stated that the parking variance for 11% reduction in the spaces, whereas the applicant is providing 107 instead of the required 120 parking spaces, which includes handicapped spaces. He felt it was unfortunate that the Commission did not have the applicant's justification letter to review, as they would have had the opportunity to review and possibly understand the physical hardship of the site and its unique configuration. There were several competing elements, such as the height limitations, set back requirements, parking and landscaping requirements and Title 19 requirements. With these elements and the requested variances, MR. RODINE and the project team members were proud that they were still able to bring an attractive project before the Commission.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 35 – SUP-5457

MINUTES – Continued:

MR. RODINE added that their client base is business-oriented travelers, such as nurses who are brought in by headhunters to fulfill the current shortage of nurses. They work on a per diem and it is rare that each one rents their own vehicle. In addition, there are corporations, such as restaurants and traveling shows who bring in crews to prepare for their openings and/or various shows. The proposed project offers some amenities, such as kitchenettes with a stove and a microwave, circulation fans, desks, high-speed data ports and voice mail. However, it does not include food and beverage services and no large conference facilities, as it is a residential business hotel. He added that the proposed site would eventually be adjacent to the upcoming monorail on Las Vegas Boulevard and would be a great niche within the area.

MR. RODINE pointed out that the proposed project abuts the rear alley. If the proposed project was on the opposite side of the alley, the applicant would not have the requirement to provide one parking space per each guest room. Although this is a physical hardship due to the unique size and shape of the proposed property,

In closing, MR. RODINE requested the Commission to approve Item 35 [SUP-5457], Item 37 [VAR-5458] and Item 38 [SDR-5456] with the exception of Condition 3 on Item 37 [VAR-5458].

BOB REED, 2001 S. Paradise Road, stated that he owns a property across the street from the proposed project. He felt that this was a tremendous opportunity for the City to see this property redeveloped. However, he expressed concern as his office is on his property. Approximately 50% of the parking is currently being used by the existing property. As a result, he could support the variance in the reduction in parking. He showed a diagram of the existing property and pointed out how it is difficult to make a left turn onto St. Louis Avenue due to an existing median. He added that there is a significant amount of traffic at the corner daily. He suggested that the parking should be in the front of the building, and the stoplight at St. Louis Avenue should be the main entrance/exit to the property. This would make for a better development overall.

Seeing there was no one else to speak for or against this item, VICE CHAIRMAN NIGRO suggested the applicant respond to MR. REED'S comments. MR. RODINE then asked MR. WYTTEBACH to do so. MR. WYTTEBACH responded that the building was oriented at the direction of staff. Staff was insistent upon having the parking area at the backside of the property and the building located at the front of the property. Several options were explored, but the current proposal yielded the most parking and the most building square footage for the site.

MS. WHEELER concurred with MR. WYTTEBACH'S comment regarding the building placement, as it was based upon the commercial and multi-family residential guidelines, which

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 35 – SUP-5457

MINUTES – Continued:

requires the buildings be placed closer to the property lines. She corrected herself on a comment she previously made by stating that the project is located within the Beverly Green Southridge Neighborhood Plan area.

VICE CHAIRMAN NIGRO then asked about the concern MR. REED had relative to the ingress/egress. DAVID GUERRA, Public Works, responded that staff believed adding a leg onto the intersection at this site would not be an efficient configuration for the intersection. By doing so, it would lower the level of service for this area. VICE CHAIRMAN NIGRO questioned the safety issue when entering/exiting onto St. Louis Avenue. MR. GUERRA responded that the existing building utilizes a similar design. Staff did not feel that any existing ingress/egress problems would worsen. COMMISSIONER STEINMAN asked the traffic consultant to comment on the ingress/egress on the east side of the property exiting onto Paradise Road. MR. CAMPBELL agreed with staff that the intersection should be safe and recommended right in and right out turns would only be allowed in and out of the site. He also informed COMMISSIONER STEINMAN that he agreed with staff about having entrances near the confluence of Paradise Road, St. Louis Avenue and Weldon Place would create an unusually configured intersection and may not function properly.

COMMISSIONER STEINMAN did not feel that the Code requirement for parking was necessary for the proposed project. Many people coming to Las Vegas rent vehicles, and he felt the proposed parking was sufficient for this project. He added that he would support this application. In addition, he commented that he recently spoke with MR. RODINE regarding the proposed project and was informed that a detailed letter of justification was provided to staff. He wished the Planning Commission had an opportunity to see the letter, as he just received a copy at this Planning meeting. He felt that these justification letters are exemplary and assist in explaining applicants' situations from their standpoint. He requested that staff include these justification letters in the Commissioners' packets.

COMMISSIONER EVANS asked if there would be a significant price difference between the existing residence hotel and the proposed one. MR. STERNS responded that they would like to see a rate increase of \$10.00, and the existing rate is \$40 - \$45. Given the substantial amount of monies that have been invested into this project, they would like to maintain a certain clientele. The preferred rates would be within the \$55 - \$65 range. The bulk of their business is the weekly rentals. He also informed COMMISSIONER EVANS that their intent is not to change the demographics, as the individuals who stay at their properties are those with salaries ranging from \$60,000 - \$70,000 annually. Aside from the unusual intersection at St. Louis Avenue and Sahara Avenue, COMMISSIONER EVANS expressed concern for the "gateway" factor to the adjoining neighborhoods. In addition, several of the extended stay hotels have become very problematic

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 35 – SUP-5457

MINUTES – Continued:

with crime, drug use and calls to the police department for service, and could be viewed as methamphetamine labs. He did not believe that the proposed project fell into this category but wanted some type of assurance that this project would not eventually end up with these types of elements.

MR. STERNS responded that this was a concern of theirs and that is why they would like to redevelop the property, as they would like to attract the upper end clientele. The proposed building would be more secure with an interior corridor; there are only four entrances into the building and there would be 24-hour staffing. He then informed COMMISSIONER EVANS that he was not aware of any existing problems on the current property. He guaranteed for COMMISSIONER GOYNES that they do not intend to reduce their rates, as their preferred price range is \$55 - \$65. COMMISSIONER EVANS then reiterated his concern for these types of extended stay hotels, as they are temporary residential properties that sometimes end up being very problematic. MR. RODINE felt that with 24-hour management staffing on site, it is customary for them to have a rapport within the community. In addition, with the clientele being that of approximately 47% of professional females, security is very important. These professionals are here to conduct business. He then stated that if problems did arise, there would be trained, on-site professional staff members who would contact law enforcement and have such individuals removed, as such problems would not be tolerated at Extended Stay America.

VICE CHAIRMAN NIGRO then stated that one way the Commission receives feedback of any issues or problems with these types of projects is by the surrounding neighborhood. He referenced a similar application whereby there were at least 40 residents in attendance at the meeting who were in opposition. He pointed out that if there were such issues, there would probably be more surrounding neighbors in attendance wishing to speak at this meeting.

COMMISSIONER EVANS then asked the applicant if there were any procedures in force, such as requiring a major credit card or doing background checks on potential applicants. In addition, he asked if there were any provisions in the leases that would alleviate problems that may occur on this property. He was persistent in wanting assurance and if there was anything that would distinguish this project from the many others that exist today. MR. RODINE responded that Extended Stay America went to what is called an “internal corridor”, which is incorporating the entry to each unit within an interior hallway within an enclosed building that has security alarms, monitoring hallways and on-site staff. These sites do have exterior corridors where individuals can come and go. With the proposed project, individuals enter through a locked entry key doorway, which is the primary entrance or they could come in through a secondary door. The only way the individuals could access the site is with a key. After 11:00 p.m., the doors are

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 35 – SUP-5457

MINUTES – Continued:

locked, and the only way to enter is with a magnetic key. In addition, individuals renting these rooms must guarantee their rental with a credit card and cannot obtain the key to the room without this credit card. He added that every single hotel, at some point, experiences some type of problem; however, he felt that having the 24-hour on site security would help to alleviate any problems in an expedient manner. He continued by stating that the proposed project is a transitional zone between Las Vegas Boulevard and the Beverly Green Neighborhood, as the project meets all building standards with the exception of parking.

COMMISSIONER EVANS asked if a meeting was held with any representatives from Beverly Green Southridge or **the Jones Neighborhood**. MR. RODINE responded that he did not personally meet with any of them, as he was not involved in the initial consultation with staff. Unfortunately, it has caused them to be somewhat reactive rather than proactive.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 35 [SUP-5457], Item 37 [VAR-5458] and Item 38 [SDR-5456].

(8:02 – 8:38)
2-1071

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning Z-0007-87, Variance VAR-5458, Special Use Permit SUP-5457, and Site Development Plan Review SDR-5456, including site plans and elevations date stamped November 18, 2004.
2. Submission of a signed and notarized cross-access and parking agreement with neighboring properties, adequate enough to cover the deficiencies of this development's parking requirements, acceptable to the City Attorney.
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-5459 - VARIANCE RELATED TO SUP-5457 - PUBLIC HEARING - APPLICANT: LPN ARCHITECT - OWNER: BRE/ESA PROPERTIES, L.L.C. - Request for a Variance TO ALLOW A BUILDING HEIGHT OF 61 FEET WHERE 55 FEET IS THE MAXIMUM ALLOWED FOR A PROPOSED RESIDENCE HOTEL on 1.63 acres at 2000 Paradise Road (APN 162-03-411-012), R-5 (Apartment) Zone, Ward 3 (Reese).

THE APPLICANT REQUESTS THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends WITHDRAWN WITHOUT PREJUDICE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and TABLE Item 25 [GPA-5102], Item 26 [VAR-5113], Item 27 [ZON-5106], Item 28 [VAR-5110], Item 29 [WVR-5294] and Item 30 [SDR-5108] and to WITHDRAW WITHOUT PREJUDICE Item 36 [VAR-5459], Item 44 [SUP-5471], and Item 45 [SUP-5472] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:11 – 6:15)

1-300

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-5458 - VARIANCE RELATED TO SUP-5457 AND VAR-5459 - PUBLIC HEARING - APPLICANT: LPN ARCHITECT - OWNER: BRE/ESA PROPERTIES, L.L.C. - Request for a Variance TO ALLOW 107 PARKING SPACES WHERE 120 SPACES ARE REQUIRED FOR A PROPOSED 120-UNIT RESIDENCE HOTEL on 1.63 acres at 2000 Paradise Road (APN 162-03-411-012), R-5 (Apartment) Zone, Ward 3 (Reese).

C.C. 01/05/05

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions and deleting Condition 3 – Motion carried with DAVENPORT abstaining as his wife owns property in the Downtown area, TRUESDELL abstaining as he owns property in the Notification area and EVANS voting No

To be heard by the City Council on 1/05/2005

NOTE: Commissioner Davenport included Item 36 [VAR-5459] when he abstained on Item 35 [SUP-5457], Item 37 [VAR-5458] and Item 38 [SDR-5456]. However, Item 36 [VAR-5459] was already included in the motion for the Abeyance/Withdrawal/Tabled items. Deputy City Attorney Bryan Scott confirmed that it was acceptable that Commissioner Davenport voted on Item 36 [VAR-5459], as it was a Withdrawal item and not a substantive motion.

MINUTES:

See Item 35 [SUP-5457] for all related discussion on Item 35 [SUP-5457], Item 37 [VAR-5458] and Item 38 [SDR-5456].

(8:02 – 8:38)

2-1071

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 37 – VAR-5458

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning Z-0007-87, Variance VAR-5458, Special Use Permit SUP-5457, and Site Development Plan Review SDR-5456, including site plans and elevations date stamped November 18, 2004.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. A signed and notarized cross-access and parking agreement with neighboring properties, adequate enough to cover the deficiencies of this development's parking requirements, acceptable to the City Attorney.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5456 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5459, VAR-5458 AND SUP-5457 - PUBLIC HEARING - APPLICANT: LPN ARCHITECT - OWNER: BRE/ESA PROPERTIES, L.L.C. - Request for a Site Development Plan Review and Waivers of landscaping standards FOR A 120-UNIT RESIDENCE HOTEL on 1.63 acres at 2000 Paradise Road (APN 162-03-411-012), R-5 (Apartment) Zone, Ward 3 (Reese).

C.C. 01/05/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with DAVENPORT abstaining as his wife owns property in the Downtown area, TRUESDELL abstaining as he owns property in the Notification area and EVANS voting No

To be heard by the City Council on 1/05/2005

NOTE: Commissioner Davenport included Item 36 [VAR-5459] when he abstained on Item 35 [SUP-5457], Item 37 [VAR-5458] and Item 38 [SDR-5456]. However, Item 36 [VAR-5459] was already included in the motion for the Abeyance/Withdrawal/Tabled items. Deputy City Attorney Bryan Scott confirmed that it was acceptable that Commissioner Davenport voted on Item 36 [VAR-5459], as it was a Withdrawal item and not a substantive motion.

MINUTES:

See Item 35 [SUP-5457] for all related discussion on Item 35 [SUP-5457], Item 37 [VAR-5458] and Item 38 [SDR-5456].

(8:02 – 8:38)

2-1071

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 38 – SDR-5456

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning Z-0007-87, Variance VAR-5458, Special Use Permit SUP-5457, and Site Development Plan Review SDR-5456.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, date stamped November 18, 2004, except as amended by conditions herein.
4. A waiver of the Title 19.10 requirement for a 15-foot by 25-foot loading zone parking area for large delivery vehicles is hereby granted.
5. Waivers of three minor landscape requirements described below are hereby granted.
6. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
7. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing no more than 15% of the total landscaped area as turf.
8. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 38 – SDR-5456

CONDITIONS – Continued:

box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

12. Signage shall be redesigned to meet Code Standards, a Variance to the Code submitted, or a Master Signage Plan application shall be submitted and approved prior to the issuance of any permits.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
14. Any internal property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Provide an easement, as necessary, for traffic signal appurtenances and conduits for the traffic signal at Paradise Road and St. Louis Avenue prior to the issuance of any permits for this site.
17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Downtown Centennial Development Standards concurrent with development of this site.
18. All new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Parking spaces located off the public alley shall be set back sufficiently to allow a minimum of 24 feet clearance for vehicle maneuvering.
19. Landscape and maintain any unimproved right(s)-of-way adjacent to this site.
20. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.
21. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits,

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 38 – SDR-5456

CONDITIONS – Continued:

submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-5483 - VARIANCE - PUBLIC HEARING - APPLICANT: H.E.L.P. DEVELOPMENT CORP. – OWNER: CITY OF LAS VEGAS - Request for a Variance TO ALLOW 50 PARKING SPACES WHERE 107 PARKING SPACES ARE REQUIRED FOR A PROPOSED 75-UNIT SINGLE ROOM OCCUPANCY HOUSING COMPLEX on 4.84 acres approximately 500 feet south of the intersection of Owens Avenue and Main Street (APN 139-27-502-015), C-V (Civic District) Zone, Ward 5 (Weekly).

C.C. 01/05/05

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 1/05/2005

MINUTES:

CHAIRMAN TRUESDELL declared the public hearing open on Item 39 [VAR-5483] and Item 40 [SDR-5481].

GARY LEOBOLD, Planning and Development, stated that the applicant has demonstrated previous experience with this type of development, a single-room occupancy housing complex. The request for a variance could be supported. The applicant has shown that this type of development does not need to be parked to the same extent as other multi-family development and that the amount of parking spaces provided should be sufficient for the proposed use. There is an insufficient number of perimeter trees on the landscape plan; however, a condition has been added requiring the full amount of landscaping to conform to the Code.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 39 – VAR-5483

MINUTES – Continued:

JEFF ROBERTS, Lucchesi Galati Architects, 500 Pilot Road, stated that this project is H.E.L.P.'s third project in Las Vegas for transitional housing. He added that this project is a critical link for the homeless community, as individuals transition from being in a homeless shelter to independently living on their own. He recently viewed the Bonanza View H.E.L.P. development on Bonanza Road and Eastern Avenue. That complex has 80 units but had only 13 vehicles in the parking lot, with six of them being employee vehicles. Many of the homeless individuals do not have vehicles and use the bus transit system. He felt that the proposed 50 parking spaces for the proposed project was sufficient.

He continued by stating that the proposed project would have 24-hour security, whereby individuals must check in and check out with limited timeframes. There are counselors on site, with a community room, kitchen, computer lab with five workstations and a recreation facility.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the public hearing closed on Item 39 [VAR-5483] and Item 40 [SDR-5481].

(8:38 – 8:42)
2-2480

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5481.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5481 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5483 - PUBLIC HEARING - APPLICANT: H.E.L.P. DEVELOPMENT CORP. - OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A 75-UNIT SINGLE ROOM OCCUPANCY HOUSING COMPLEX on 4.84 acres approximately 500 feet south of the intersection of Owens Avenue and Main Street (APN 139-27-502-015), C-V (Civic District) Zone, Ward 5 (Weekly).

C.C. 01/05/05

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 1/05/2005

MINUTES:

See Item 39 [VAR-5483] for all relation discussion on Item 39 [VAR-5483] and Item 40 [SDR-5481].

(8:38 – 8:42)

2-2480

CONDITIONS:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 40 – SDR-5481

CONDITIONS – Continued:

2. All development shall be in conformance with the site plan and building elevations, dated October 19, 2004, except as amended by conditions herein.
3. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing 24 inch box trees along the south property line spaced at 30 feet on center; a maximum of 15% of the total landscaped area as turf; and one 5 foot wide parking finger, with no less than one 24 inch box tree per finger, for each six parking spaces in the parking lot.
4. A Variance (VAR-5483) approved by the City Council to allow 50 parking spaces on this site where 107 is the minimum number of spaces required.
5. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and from residential development.
7. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
11. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 40 – SDR-5481

CONDITIONS – Continued:

Public Works

12. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
13. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
14. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-5462 - VARIANCE - PUBLIC HEARING - APPLICANT: GEMINI TRUST AND LIZ THOMPSON - OWNER: GEMINI TRUST - Request for a Variance TO ALLOW A SEVEN-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR A PROPOSED HOME ADDITION on 0.59 acres at 3909 Leon Avenue (APN 138-12-110-035), R-E (Residence Estates) Zone, Ward 6 (Mack).

P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Planning Commission – Letter of Support from Fred Lujan submitted by Liz Thompson

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the public hearing open.

GARY LEOBOLD, Planning and Development, stated that the applicant requested an approximate 2,100 square foot addition to a house that is just less than 3,000 square feet. The addition is significant. The applicant would like to take the existing building, which is seven feet off the side property line, and continue the addition back using the same property line. Given the size of the addition and the configuration of the lot, the applicant has not provided any evidence of unique or extraordinary circumstance to warrant the variance. It is a self-imposed hardship, as an alternative site plan would allow conformance to Title 19 standards.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 41 – VAR-5462

MINUTES – Continued:

LIZ THOMPSON, 3909 Leon Avenue, submitted a letter of support from her neighbor who resides north of her property. MS. THOMPSON stated that when the property was built in 1977, it was approved by the City with a seven-foot setback. Due to a handicapped individual residing in the home, it would not be possible to take three feet off from the edge of the home. If the application is denied, they would have to end up selling the home as it would not accommodate the handicapped individual.

PHYLLIS McGUIRE, 3909 Leon Avenue, stated she was the handicapped individual that MS. THOMPSON previously referred to. She added that only 24 feet would be extended on the seven-foot side of the property line. The remaining portion of the building is on the other side of the house, which has a driveway in the middle with extra room.

MS. THOMPSON informed CHAIRMAN TRUESDELL that the existing addition is a combination garage, workshop, and/or guesthouse that has always been in existence. She also confirmed with COMMISSIONER EVANS that none of the residents have a problem with this request, but she only received a letter from the one neighbor that would be directly affected and they supported the request.

COMMISSIONER DAVENPORT commented that the diagram showed a garage that would face the rear of the property. MS. THOMPSON replied that the south side of the house would be the addition. The garage door faces the rear of the property, as the lot is wide enough that one could drive down the driveway, hang a u-turn and go back into the driveway.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the public hearing closed.

(8:42 – 8:47)

2-2667

CONDITIONS:

Planning and Development

1. This Variance shall expire in two years unless it is exercised or an extension of time is granted by the City Council.
2. Acquire all necessary permits from the Department of Building and Safety.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-5484 - VARIANCE - PUBLIC HEARING - APPLICANT: TETRA TECH, INC.- OWNER: SPINNAKER HOMES V, LLC - Request for a Variance TO ALLOW A PROPOSED 17-FOOT FRONT SET BACK WHERE 18 FEET IS REQUIRED for a proposed single-family dwelling on Lot 24 of the Spinnaker at Town Center 1 Unit 4 Subdivision located approximately at the southeast corner of Dorrell Lane and Fort Apache Road (APN 125-20-201-009, 010, and 029), U (Undeveloped) [TC (Town Center) General Plan Designation] Under Resolution of Intent to T-C (Town Center) Zone, Ward 6 (Mack).

P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to condition – UNANIMOUS with McSWAIN abstaining as one of the principles for Spinnaker Homes is also a principle for Southwest Homes, with which her firm (Terra Contracting) is presently doing work

To be heard by the City Council on 1/05/2005

MINUTES:

CHAIRMAN TRUESDELL declared the public hearing open.

GARY LEOBOLD, Planning and Development, stated that the applicant indicated that none of the product options offered at the site would allow them to meet the 18-foot front yard setback requirements. However, staff felt that there has not been any evidence provided that would indicate a home could not be placed on this site and meet the Code requirements.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 42 – VAR-5484

MINUTES – Continued:

VICTOR RODRIGUEZ, 401 N. Buffalo, Suite 100, appeared on behalf of the applicant. He stated that the request is for a one-foot reduction in setback on one lot at the center point of the cul-de-sac. The applicant did not feel this would affect the neighborhood, as it is within the development and Fort Apache Road is located further to the west. He showed a diagram reflecting the reduction of the front setback, which is actually less than a half-foot. Moving the house back would have given a reduction in the back yard, but the applicant chose to reduce the front yard.

MR. LEOBOLD informed COMMISSIONER DAVENPORT that the ordinance for the driveway required it to be 18 feet or longer or five feet or less. It would prevent the vehicle from hanging out on the sidewalk or over the curb. COMMISSIONER DAVENPORT then asked if there were other options. DAVID GUERRA, Public Works, stated that this was researched and taken into consideration that it was located on the cul-de-sac. The diagram reflected 17.53 feet, which is not necessarily intrusive.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the public hearing closed.

(8:47 – 8:51)

2-2929

CONDITIONS:

Planning and Development

1. This Variance shall expire in two years unless it is exercised or an extension of time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

WVR-5487 - WAIVER - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: THE KUSHROW ROOHANI FAMILY TRUST -
 Request for a Waiver of Title 18.12.510 AND SECTION D.2.A.6 OF THE TOWN CENTER DEVELOPMENT STANDARDS TO ALLOW AN EIGHT-FOOT RETAINING WALL WHERE SIX FEET IS THE MAXIMUM ALLOWED on 15 acres along the south side of Elkhorn Road, between Campbell Road and Durango Drive (APN 125-20-101-007, 015, and 016), T-C (Town Center) Zone, Ward 6 (Mack).

C.C. 01/05/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions and adding the following condition:

- *The retaining wall to be a minimum of 50% decorative block, split face, broken finish and a 100% colored wall to compliment the screening wall above.*
- **UNANIMOUS** with McSWAIN abstaining as her firm, Terra Contracting, is presently under contract with Richmond American Homes

To be heard by the City Council on 1/05/2005

MINUTES:

CHAIRMAN TRUESDELL declared the public hearing open.

GARY LEOBOLD, Planning and Development, stated that the applicant has made substantial changes in order to bring the other perimeter walls into conformance with the Town Center Standards and Title 18 of the Municipal Code. However, the wall along Lot 70 is proposed to consist of an eight-foot high retaining wall and a six-foot high screen wall, for a total of 14 feet.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 43 – WVR-5487

MINUTES – Continued:

Staff recommended denial, as they felt that a solid 14-foot high wall would not be harmonious and compatible with the anticipated development pattern of the surrounding area. While the concerns regarding proper drainage along Elkhorn Road exist, a better approach would be to step the wall in accordance with Title 18 and Town Center standards or construct the perimeter wall of wrought iron and pilasters so it is not as intrusive to the surrounding area.

TABITHA (FIDDYMENT) KEACH, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of Richmond American Homes. She used the overhead to show an aerial of the site. The applicant requested a waiver that affects only one lot. The wall on Elkhorn Road descends as heading east, so one portion of the wall would be 14 feet. The applicant did not feel they could comply with the condition regarding the wall, as there is only a five-foot rear yard setback. The wrought iron would provide little privacy to the property owner of the lot. However, the applicant felt that something could be done to mitigate the effect of the wall and suggested the following condition, as was read into record: “The retaining wall to be a minimum of 50% decorative block, split face, broken finish, etc. and a 100% colored wall to compliment the screening wall above.”

MR. LEOBOLD informed CHAIRMAN TRUESDELL that staff has not had the opportunity to review the condition but understood how the lots are tight especially facing Elkhorn Road. A five-yard setback would provide very little privacy for the owner, so he confirmed that ATTORNEY KEACH’S suggested condition would be acceptable.

ATTORNEY KEACH explained to DEPUTY CITY ATTORNEY BRYAN SCOTT that “etc.” in the suggested condition referred to how the decorative block walls are designed, so there are other adjectives that are used to describe them. She could not state what the adjectives were, so she used “etc.” DEPUTY CITY ATTORNEY SCOTT confirmed with ATTORNEY KEACH that the adjectives would be included in the condition and they would submit something formally in writing. MARGO WHEELER, Planning and Development, requested that “etc.” be deleted from the condition all together. ATTORNEY KEACH concurred.

The Commissioners then congratulated ATTORNEY KEACH on her marriage.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the public hearing closed.

(8:51 – 8:57)

2-3162

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 43 – WVR-5487

CONDITIONS:

Planning and Development

1. The wall shall consist of an eight-foot high retaining wall, with a maximum six-foot screen consisting of wrought iron with pilasters.
2. Conformance to all other site related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5471 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: AMY MARTIN/ CORNERSTONE - OWNER: SID-BRI INVESTMENTS LLC - Request for a Special Use Permit FOR A FACILITY TO PROVIDE TESTING, TREATMENT, OR COUNSELING FOR DRUG OR ALCOHOL ABUSE at 3150 West Sahara Avenue, Suite B22 (APN 162-05-403-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 01/05/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

212

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and TABLE Item 25 [GPA-5102], Item 26 [VAR-5113], Item 27 [ZON-5106], Item 28 [VAR-5110], Item 29 [WVR-5294] and Item 30 [SDR-5108] and to WITHDRAW WITHOUT PREJUDICE Item 36 [VAR-5459], Item 44 [SUP-5471], and Item 45 [SUP-5472] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:11 – 6:15)

1-300

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5472 - SPECIAL USE PERMIT RELATED TO SUP-5471 - PUBLIC HEARING - APPLICANT: AMY MARTIN/ CORNERSTONE - OWNER: SID-BRI INVESTMENTS LLC - Request for a Special Use Permit FOR A SEX OFFENDER COUNSELING FACILITY at 3150 West Sahara Avenue, Suite B22 (APN 162-05-403-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 01/05/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

212

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and TABLE Item 25 [GPA-5102], Item 26 [VAR-5113], Item 27 [ZON-5106], Item 28 [VAR-5110], Item 29 [WVR-5294] and Item 30 [SDR-5108] and to WITHDRAW WITHOUT PREJUDICE Item 36 [VAR-5459], Item 44 [SUP-5471], and Item 45 [SUP-5472] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:11 – 6:15)

1-300

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5312 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CORONADO RANCHO, LLC - Request for a Site Development Plan Review FOR A PROPOSED 40,016 SQUARE-FOOT OFFICE COMPLEX OF EIGHT SINGLE-STORY BUILDINGS on 3.30 acres adjacent to the east side of Decatur Boulevard, approximately 875 feet north of Smoke Ranch Road (APN a portion of 139-18-410-004), C-M (Commercial/Industrial) Zone, Ward 5 (Weekly).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with NIGRO abstaining because he believed DON ANDERS is one of the land owners in this property and he is a partner with MR. ANDERS in other ventures

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, explained that this development is part of the Rancho Air Center and the Site Plan Review for the overall center requires individual Site Plan Reviews to be submitted for each component development. This proposal is one of those components. In this application, several building setback and landscaping waivers are requested. They would affect the rear-yard setbacks on some of the pads and side-yard setbacks

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 46 – SDR-5312

MINUTES – Continued:

on the eastern edge of the pads. There would also be some reductions from 20 feet to 10 feet on some of the rear-yard setbacks. The applicant is also requesting zero feet of perimeter landscaping in the eastern edge of Phase I. In all of these cases, staff did not believe the waivers were significant given the overall landscaping and staff recommends approval.

MICHAEL KOEBERLE, Perkowitz & Ruth Architects, 3980 Howard Hughes Parkway, Suite #450, appeared on behalf of the applicant and concurred with conditions and the staff recommendation. He requested that the vote be Final Action because there have been some clerical issues that delayed the processing of this application. He felt the project was straightforward with a high quality level of architecture and requested approval.

(9:16 – 9:19)

3-531

CONDITIONS:

Planning and Development

1. All development shall be in conformance with Zoning Reclassification ZON-1401, Site Development Plan Review SDR-5312, the site plan and building elevations date stamped September 21, 2004, Site Development Plan Review SDR-1404 (Rancho Air Center commercial subdivision) and all other applicable site-related actions, except as amended by conditions herein.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. Requested setback and landscape waivers are hereby granted. Landscaping shall conform to the submitted site plan and landscape plan date stamped September 21, 2004.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
6. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing no more than 15% of the total landscaped area as turf.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 46 – SDR-5312

CONDITIONS – Continued:

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.
8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

Public Works

11. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
12. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
13. Meet with the Fire Protection Engineering Section of the Department of Fire Services; the design and layout of this site shall meet the approval of the Department of Fire Services.
14. Site development to comply with all applicable conditions of approval of Zoning Reclassification ZON-1401, the Rancho Air Center Commercial Development subdivision and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5452 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT: PRO REALTY PARTNERS, LLC - OWNER: E & F HORIZONS
ASSOCIATES, LLC - Request for a Site Development Plan Review FOR THE
CONVERSION OF A 408 UNIT APARTMENT PROJECT TO A CONDOMINIUM
DEVELOPMENT on 20.20 acres at 8600 West Charleston Boulevard (APN 138-32-801-001),
R-3 (Medium Density Residential) Zone, Ward 2 (Wolfson).

C.C. 01/05/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 1/05/2005

MINUTES:

CHAIRMAN TRUESDELL declared the public hearing open.

MARGO WHEELER, Planning and Development, stated that this is a Site Development Plan Review that is required for the conversion of an existing apartment project that wished to go to ownership use. The purpose of the Site Development Plan is to review the project pursuant to current standards of the Code, such as parking, setbacks, landscaping and trash enclosure.

MS. WHEELER continued by stating that the review indicated this particular project lacked several requirements of the Code, which are the rear setback, parking and landscaping. Because the conversion project does not make these improvements to the project, which would make it comply with the current Code, staff recommended denial.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 47 – SDR-5452

MINUTES – Continued:

SCOTT RUEDY, WRG Designs, 3011 W. Horizon Ridge Parkway, appeared on behalf of the applicant. MR. RUEDY stated that the request is to convert a 408-unit apartment complex into a condominium project. The developer has invested approximately two and a half million dollars on upgrades on the property including landscaping and building improvements.

MR. RUEDY commented that the staff report indicated there is a 19-foot setback on the rear of the property, which is along Merialdo Lane. However, the site is addressed off of Charleston Boulevard and the applicant considered the area adjacent to the single-family residence to be the rear setback. This site is currently being upgraded with drought tolerant desert landscaping, and he referenced the appropriate application (SDR-4235) that was approved on May 13, 2004. He then showed photos of the current landscaping on this site. He continued by stating that when the above referenced application was approved, the area along the north property line was approved with an approximate five-foot landscape buffer. Years later, portions of the landscape buffer were removed from the site and parking was added. There was a review of condition that was approved by the City Council, which allowed the landscaping as it exists today. This condition included providing landscaping on the adjacent neighbor's property, up to a maximum of \$2,500. There is a substantial amount of landscaping, which include large mature Evergreen trees, which provide a buffer from this use.

MR. RUEDY continued by saying the project was a parking impaired development, based upon Title 19 requirements. The stipulation is that an existing land use or a building that complied with the Code when it was built is not required to add any additional parking, as long as the use is not changed which would increase the amount of parking that is required. In this case, the Title 19 requirements are still the same. The original requirement for parking on this site was 498, and currently there are 558 parking spaces, which the applicant felt is adequate to meet the needs for the conversion.

COMMISSIONER McSWAIN stated that she was inclined to support projects converting rentals to ownership properties because it has a positive impact on adjacent homeowners. However, she felt that she did not want to set a precedent by allowing deviations from standards other similar projects have to meet. She asked staff to clarify the current parking requirements for an apartment project being converted into condominiums. MS. WHEELER explained that the requirement for the Site Development Plan Review for a condominium conversion is a recent one. The purpose of the review is to analyze the project in a public hearing where neighbors are notified and the Planning Commission and City Council have the opportunity to review the project based upon the standards for a Site Development Plan to determine compatibility. She continued by saying the change of a rental property to a "for sale" product is initiated by the property owner for the purpose of improving the property. The review is to determine whether or

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 47 – SDR-5452

MINUTES – Continued:

not the change is being met pursuant to the current Code. In this case, the developer is not making substantial improvements to make this project meet Code. There are more than 150 spaces less than that which is required by Code. There are changes, although substantial and costly, that could be made to the project in order to make the project meet Code. Many projects have made substantial changes during the conversion process to keep with Code. Staff is not ignoring the expenses associated with the required changes; however, it is done with frequency during conversions.

COMMISSIONER McSWAIN said that answered her question in a broad fashion. She asked about the number of units that were one bedroom etc. She also asked if the applicant was aware of the conversion when the previous landscaping updates were requested.

DOTAN MELECH, 109 Maradara Lane, stated he is one of the principals of Pro Realty Partners, LLC, and that the complex has 96 one-bedroom units, 264 two-bedroom units and 48 three bedroom units. MR. MELECH explained that he is with the applicant that is purchasing the project from the owner. It was the previous owner who went through the process of the approvals for the landscaping updates. He explained that they have inherited this situation.

VICE CHAIRMAN NIGRO said that he supported the application after weighing the variance requests against the benefits of having home ownership. The neighborhoods do benefit when there is an ownership aspect added to an apartment complex. He stated that if denied, the issues would remain the same as they are now. The parking and landscaping would not improve or worsen whether it stays an apartment complex or is converted to condominiums. He acknowledged the comments of MS. WHEELER but felt the changes were far beyond the capacity of the project. Conversion to a condominium project is causing some of the need for the improvements that make it a nicer development.

COMMISSIONER STEINMAN asked if the City had a requirement regarding noticing the tenants that they would have to leave due to the conversion. MR. MELECH replied that he understood the notice had to be issued within 120 days. He added that the tenants get the first refusal to buy. COMMISSIONER STEINMAN confirmed with MR. MELECH that the prices would range from \$130,000 to \$190,000.

COMMISSIONER STEINMAN voiced concern over the number of rentals being converted to condominiums. He stated that if this application were approved, over 800 units would have been approved during the meeting. He feared that renters in the community could be closed out of the system. He thought the City should investigate because the inventory of rentals is being reduced.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 47 – SDR-5452

MINUTES – Continued:

COMMISSIONER STEINMAN stated that in May, a six-foot wall was required on the western property line and the wall is not six-feet, he asked why it was not installed correctly. MR. RUEDY replied that the applicant did not construct the wall in question and did not know how high the wall was built. COMMISSIONER STEINMAN informed him that it is approximately four to four and a half feet tall and it backs up against commercial property. MR. MELECH interjected that there is a road buffering the wall and the commercial property. COMMISSIONER STEINMAN indicated that someone did not follow standards when constructing that wall.

He also added that during peak parking times, there is a major parking issue. He noted that spaces had been added around the walls and in the back of the development. The Commissioner asked if Fire Safety had evaluated and approved that situation. MR. RUEDY explained that he had met with a representative from the Fire Department and as long as a 20-foot drive aisle is maintained, there is not a safety issue.

COMMISSIONER STEINMAN reiterated his concern over conversions and suggested the entire valley evaluate the situation to assure the rental stock of the community is not depleted. MR. MELECH told him that the residents of the apartment complex in question have been given an opportunity to purchase the units for less than what they would pay monthly to rent. The applicant felt that was an improvement for the tenants. COMMISSIONER STEINMAN was happy to hear that.

COMMISSIONER EVANS stated that he was able to catch a few minutes of the City Council meeting of 12/01/2004 and they had the same discussion. He questioned the applicant about the right of first refusal by asking if that was a requirement or if the applicant chose to make that offer. MR. MELECH replied that it was a State law but that the applicant also believed that to be the right thing to do. The Commissioner said he felt there were great benefits to property ownership and that it is believed that owners maintain their property to a greater degree than renters would. He asked that the Commission be aware of the consequences of putting people out who might consider a rental property their long-term home

CHAIRMAN TRUESDELL explained that he drives by this property almost daily and he has watched many of the improvements take place over the last three or four months. The improvements have been significant to the project and although there are difficulties with the parking, those difficulties would remain if the conversion was denied and the complex remained apartments. This is an opportunity for the residents to attain home ownership and it would also allow the residents to be noticed for future developments in the area because as renters, they are not noticed by the City.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 47 – SDR-5452

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(8:47 – 9:16)
2-3464

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
3. All development shall be in conformance with the site plan and building elevations of Site Development Plan Review [Z-0010-82], except as amended by conditions herein.
4. Prior to the submittal of a Final Map, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. All City Code requirements and design standards of all City departments must be satisfied.
6. A Homeowners' Association shall be established to maintain all perimeter walls, private streets, including all common areas created by this action.
7. All trash enclosures shall be full enclosed and roofed using the same design theme and materials similar to those used in the main structures.

Public Works

8. Provide a Traffic Signal Chord Easement on the northeast corner of Merialdo Lane and Charleston Boulevard prior to recordation of a Final Map or by instrument of the Final Map for this site.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 47 – SDR-5452

CONDITIONS – Continued:

9. The Final Map for this site shall provide the recorded document numbers of the right-of-way along Durango Drive for a right turn lane and the right-of-way with the recorded document numbers along Charleston Boulevard for a bus turnout.
10. Remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site.
11. All gated driveways shall be designed, located and constructed as required by the City Traffic Engineer.
12. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
13. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid prior to the recordation of a Final Map for this site.
14. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - VAR-5227 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: COKE AND MAGGIE L.L.C. - Request for a Variance TO ALLOW A 25-FOOT FRONT YARD SETBACK WHERE 30 FEET IS REQUIRED AND TO ALLOW A 25-FOOT REAR YARD SETBACK WHERE 35 FEET IS REQUIRED on 10.25 acres adjacent to the northeast corner of Maggie Avenue and Coke Street (APN 125-09-501-003), U (Undeveloped) Zone [RE (Rural Estates) General Plan Designation], Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – DENIED – Motion carried with NIGRO voting NO and McSWAIN abstaining because her company, Terra Contracting, is bidding some work for the company developing this property

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, stated that the applicant has indicated that this request is predicated on a Variance that was granted to an adjacent parcel through VAR-3902 for front and rear-yard setbacks. That Variance was requested because the home models could not fit on the proposed lots and Council approved the Variance on June 16, 2004. The applicant is now requesting a Variance for an adjacent development with a similar self-imposed hardship regarding lot limitations.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 48 – VAR-5227

MINUTES – Continued:

MR. LEOBOLD stated the previously approved Variance was granted based on specific circumstances surrounding that property and was specific to that property only. He reminded the Commissioners that granting a Variance on a parcel would not infer entitlement to a separate Variance on another parcel.

DAVID KOERBER, 8445 Las Vegas Boulevard, appeared on behalf of the applicant and stated the project is a two-phase project made of two combined pieces of land and that everyone was aware of that fact from the start of the application process. The hardships that resulted in the request for the first Variance were not self-imposed and exist for both pieces of land. MR. KOERBER said that meetings were held with COUNCILMAN MACK'S staff members and the residents in the area and compromises were achieved. He felt the same project with the same conditions should be granted the same type of Variance on Phase II. That the homes proposed for Phase II are the same product as Phase I and the Variance would be required because of design.

MR. KOERBER further explained that the project is located in an isolated area of the City and that it is bordered on the north and west, by Floyd Lamb State Park and on the east, by a golf course. He felt there was no negative impact on anyone and requested approval of the application.

DAVE ARPIN, 6735 Maggie Avenue, stated he is concerned with the southeast corner lot setback. He asked that the setback remain at 35 feet because his property is contiguous with the subject site. MR. ARPIN explained that he has property with horses and being next door to the proposed development, the setback is his only consideration.

CAROL LEDUC, 7575 Rome Boulevard, stated that the lots are quite large and she suggested the required setbacks and boundaries could be met if the size of the homes were reduced. She did not feel the neighbors should have to make concessions if the developer can redesign smaller homes.

KATHLEEN OLENDER, 6735 Maggie Avenue, said that MR. KOERBER told the residents that because the Variance on Phase I was approved, this should be approved as well. She disagreed with that theory because the configuration is slightly different from Phase I. Also, in Phase I, the lots were not directly contiguous with any adjacent horse properties; there was a street to serve as a buffer. In this case, the property shares 300 feet with horse properties and the other owners do not want the rear setbacks reduced.

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MINUTES – Continued:

MR. KOERBER replied to MR. ARPIN'S comments by saying the lot of concern is 181 feet deep and the largest home would not come within 50 feet of his property. On that lot, there would not be any impact; however, the applicant is asking for the 25-foot rear setback so there is continuity throughout the project.

In response to MS. LADUC'S suggestion that the homes be redesigned to fit the lots without a Variance, MR. KOERBER explained that of the 11 floor plans offered, the buying public expressed interest in the five floor plans being proposed for this development. The people interested in these homes are couples with three or four children that are looking for homes with four or five bedrooms. They are looking for big back yards for those children to play in. Keeping that in mind, the developer would like to offer 25-foot setbacks in the backyard and a 25-foot setback in the front to give the homes a quaint feel. He said the homes could be redesigned but the buying public has made it known that these are the homes they are looking for.

COMMISSIONER DAVENPORT asked MR. KOERBER why models were even offered to the public that would not fit on the lots without a Variance. He could not understand why a product would be offered that could not be delivered without a Variance. MR. KOERBER stated his firm had 11 house plans that were designed and they did a survey of which plans were well liked by the buying public. They had not actually offered the homes at that time, it was just a survey. After that, the developer narrowed the choices down to the five homes that are now being offered. This process was done over a one-year period and implemented for Phase I. MR. KOERBER reiterated that this development does not impose a negative impact on anyone and that the property is surrounded on three sides by a park and a golf course. COMMISSIONER DAVENPORT indicated that although that may be true at this time, there is no way to know what developments may be constructed in the future.

COMMISSIONER DAVENPORT said that knowing the five homes that were going to be offered and knowing that those homes would not fit on the lots for Phase II, the developer should have done some redesign work. He also questioned MR. KOERBER'S comment that the buyers want larger backyards; however, the application requests cutting the setback down to 25 feet from 35 feet. The Commissioner said he had supported the first Variance because he found it to be a legitimate situation. He found this situation illogical and could not support the application because the developer could have redesigned the lots to meet the houses.

MR. KOERBER stated there were several conditions that existed or were imposed upon the developer. The first was a pre-existing legal description for a cul-de-sac, which left no choice for how the homes in that area could be configured. Secondly, a condition was imposed that

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
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Item 48 – VAR-5227

MINUTES – Continued:

required a 20-foot drainage easement on the northern portion of the parcel. He stated that the civil engineer spent more than twice the normal time that it would take to do design work on a project such as this to come up with the 20,000 square-foot lot configurations they achieved. COMMISSIONER DAVENPORT replied that the cul-de-sac entrance and drainage easement requirements were pre-existing when the property was purchased. MR. KOERBER said that the conditions were imposed after purchasing the property and the applicant accepted them all. Now, the applicant is asking to be allowed to provide the homes to the buying public that they are asking for.

CHAIRMAN TRUESDELL stated that the neighbors had indicated there was not an issue over the development; however, they were concerned with the southeast corner rear setbacks. MR. KOERBER acknowledged those concerns and explained the OLENDERS are afraid that they might receive complaints from the adjacent homeowner if the houses were too close together. MR. KOERBER reiterated that the lot in question is the deepest lot in the subdivision and the entire area is horse property. CHAIRMAN TRUESDELL said that since the neighbors only have a problem with the one lot, the only way he could support the application would be if the developer made a concession to the neighbors regarding that lot. MR. KOERBER said that an accommodation could be made.

COMMISSIONER STEINMAN confirmed with MR. KOERBER that the homes are between 3,500 and 5,000 square feet in size. COMMISSIONER STEINMAN asked how many feet would have to be removed from the homes so that a Variance would not be required. MR. KOERBER did not have that information. COMMISSIONER STEINMAN found the hardship to be self-imposed and found it hard to believe that the buying public wants these homes to be closer to the neighbors. The Commissioner felt it would be more of a matter of land costs and home sizes and he would not support it. MR. KOERBER explained that it would be difficult to explain to his customers that although they love the home and the lot, he could not put the two together. COMMISSIONER STEINMAN concurred with COMMISSIONER DAVENPORT in questioning the logic of people wanting larger back yards so the applicant requested a reduction in rear yard setbacks. MR. KOERBER replied that nothing is being cut off the back side, the applicant is requesting permission to move the homes forward because the homes would not fit on the lot.

VICE CHAIRMAN NIGRO agreed with the approach taken by COMMISSIONER STEINMAN and COMMISSIONER DAVENPORT; however, he did not feel this application would result in an undue hardship being imposed on the neighborhood. This did not mean that he agreed with all of MR. KOERBER'S comments. He felt that decreasing the size of the homes to accommodate the setback did not change the number of homes in the community. The issue, as

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
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MINUTES – Continued:

he saw it, was compatibility to the adjacent property owners. Phase I was deemed to be appropriate to the neighborhood with certain conditions and with conditions, this could be appropriate as well. He felt the 35-foot setback should remain on the lot that is adjacent to the horse property.

VICE CHAIRMAN NIGRO also pointed out that over half of the homes do meet the setback requirement already. Some look as if they could be exceeding that requirement. So, the discussion is not relevant to the entire subdivision. He said that the overall development will be good-sized homes on good-sized lots and that would benefit the property values in the area.

COMMISSIONER GOYNES stated he was concerned about bringing urban sprawl out to horse properties. He acknowledged MR. KOERBER'S repeated comments that these are the homes the buying public is asking for but he thought it would be more prudent for the applicant to see what the existing residents might want in their neighborhood. MR. KOERBER stated that several meetings had occurred with the residents and they voiced concern over streetlights and sidewalks and the applicant was able to have those requirements removed from the project.

COMMISSIONER EVANS told MR. KOERBER that Title 19 prohibits the Planning Commission and City Council from granting a Variance request that is solely personal, self-created or financial in nature. He read from the staff report the Title 19 verbiage that stated so. The Commissioner could not find any compelling reason to grant the Variance and indicated he could not support it. The argument was not made in a manner that would allow the Variance to be granted legally.

MR. LEOBOLD wanted to clarify for the Commissioners that there was an error in the agenda. The staff recommendation was listed as approval and staff was recommending denial on this item as shown in the staff report and on the summary page.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(6:43 – 7:04)

1-1410

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

DIR-5543 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER:
CITY OF LAS VEGAS - Request to Adopt the Northwest Open Space Plan as an Element of the Master Plan 2020 for property generally located north of Cheyenne Avenue, west of Decatur Boulevard, and east of Puli Drive, Ward 4 (Brown) and Ward 6 (Mack).

C.C. 01/05/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after meeting – Copy of PowerPoint Presentation made by Chuck Fink

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 1/05/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

ROBERT GENZER, Director, Planning & Development Department, stated that he wanted to clarify the heading on the Agenda Summary Page. This is not going to be adopted as an element of the Master Plan. It is looked at as a specific plan that deals with one specific subject. When this does go onto City Council, it will go forward in that manner as opposed to an element of the 2020 Master Plan; however, it would be used in context with the 2020 Master Plan.

MR. GENZER was happy to introduce the team of consultants to the Commissioners. CHUCK FINK, the founder and owner of Greenways Incorporated led the team, and he brought with him

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
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Item 49 – VAR-5227

MINUTES – Continued:

BOB SEARNS, also of Greenways and JACK ZUNINO of JW Zunino & Associates, which is a local landscape/architecture firm. This team has worked on successful projects all around the country including Kansas City Metro Green and the Grand Canyon Greenway. MR. GENZER stated he did not usually introduce the consultant teams; however, this one is different. This team was a pleasure to work with. They have been in Las Vegas a number of times over the course of this project and staff believed that they have done some tremendous outreach with the citizens in the northwest community.

MR. GENZER also wanted to take the opportunity to acknowledge the efforts of staff members involved with this project as well. He named the Comprehensive Planning Manager, TOM PERRIGO and SEAN ROBERTSON, also of Comprehensive Planning, who was the Project Manager. He also wanted to acknowledge the Citizens Advisory Committee, which primarily consisted of residents in the northwest area, several of whom were present at the meeting. MR. GENZER stated that their efforts and hard work were an integral part of the process.

MR. FINK thanked MR. GENZER and congratulated him for his 31 years of distinguished service to the City of Las Vegas. On behalf of his team, MR. FINK wished MR. GENZER well in his retirement.

MR. FINK indicated that MR. GENZER had done much of the introductory work for the evening and he confirmed that there were members of the Citizens Advisory Committee in the audience. He thanked the Committee members for their hard work and dedication. MR. FINK said that comments are still being received on this final draft that are being worked on by the Public Works and Planning staff members.

A copy of the PowerPoint presentation made by MR. FINK has been made a part of the record.

MR. FINK stated that in February of 2004, the team was directed with the first task of assembling a group of citizens to discuss visions for the plan but also to encapsulate that vision into the planning process for the quality of life for the northwest region. During workshops and public meetings, the team consistently heard comments regarding the quality of life.

The current supply of open space and need for open space was analyzed. The team identified landscapes that they felt should be made a part of an open space network. A framework was defined for protecting those resources and finally, a plan for implementation was made.

MR. FINK stated that there are a lot of resources in the northwest region that are important. The team was impressed by all of the agricultural land found in this area of the valley. It was determined that many people who move to the northwest do so to be a part of the rural

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
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MINUTES – Continued:

community. The presence of horses, equestrian land and agricultural land is very much a part of this area. There are also significant cultural landscapes including Floyd Lamb State Park, which needs a lot of attention and protection. The team was also very impressed by the view sheds in the area.

MR. FINK stated the community has a national model for how open space can be successfully incorporated into a community with the work done over the past few years in Summerlin. He stated that one of the team members, JACK ZANINO, was involved with the land plan for that.

An analysis of traditional, national models was made to determine how well the needs of the citizens are being met. This was also established by looking at other work going on around the country especially in the western portion of the United States. MR. FINK said that the most important tool used was the Community Attitude Survey. One of the best survey companies in America, ETC Institute, was hired and they surveyed 3,000 households in the northwest region. The response was outstanding with 688 surveys being returned. This gave the team a high level of confidence in the answers given. The survey was done by mail with a follow up by telephone. MR. FINK informed the Commission that typically, a survey such as this would have responses involving access to open space such as more ball fields, trails and places for human activity. In this case, the survey revealed the passion of the residents for the protection and conservation of the natural resources. The top four responses of the survey speak to the need to protect the rural character and way of life in the northwest region. He knew the Commissioner's already were aware of how tough it is to balance these needs with rapid growth.

Once it was understood that the fundamental core of the project was conservation and protection, the rest of the plan was devoted to how a community such as Las Vegas can embark on bold initiatives that can protect the character and type of lifestyle that people are really wanting to see protected.

To do this, a national model was employed, which is known as hubs and spokes. This looks at important hubs of activity, not only parks, but residential neighborhoods, farmland, shopping centers etc. It requires a review of the way a community grows. Then, those identified hubs are connected together with landscaping corridors such as arroyos and flood planes, landscaped roadways and rail, or power line corridors. All of which are currently present in the northwest region. This theory is the underpinning behind which the open space plan is developed. One of the goals is to look at the hubs and spokes model and to accomplish a well served, interconnected system of trails that serves a transportation purpose as well as a health, fitness and recreational purpose as well.

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MINUTES – Continued:

Out of that conceptual framework, there were four major open space pursuits, passive natural open space, contiguous open space, active recreation open space and cultural and historic open space. The team felt it was important to address the overall desires and needs of the citizens to establish a target or goal of 30 percent of conserved or preserved open space for the City of Las Vegas. It is an aggressive goal but it is one that can be met. The current supply of open space in the northwest region is about 5,200 acres. To reach the 30 percent goal, approximately 4,400 acres of additional open space would have to be layered into the region as it continues to develop. MR. FINK stated that to accomplish this, the focus must be on protected arroyos, open space from conservation subdivisions and targeted acquisitions.

MR. FINK explained that there are several natural washes and arroyos in the northwest region. In working with the Clark County Flood Protection District, the State and City of Las Vegas Public Works, the team felt it was very possible to protect about 1,200 acres of the wash areas as development occurs. Policies and programs could be put in place to immediately begin protecting those areas. These areas are significant not only from the manner in which they connect the community and protect the community from flooding but they also offer significant archeological sites and native habitat for plants and animals. These would be landscapes that the team knows citizens want to protect.

The second strategy is to adopt a more conservation minded development approach to land development. This is already occurring in the northwest region and this should protect approximately 1,500 acres that would be contiguous and would offer a chance for separate developments to be interconnected. He showed a slide photo taken in Denver, Colorado, which was an example of where this strategy is in place. He noted the strategy would have to be implemented with water conservation in mind and showed, as an example, a photo taken of the Pueblo subdivision in Summerlin.

The third strategy is to aggressively acquire key open space parcels. The City has been working with the Trust for Public Land Nevada Field Office and parcels of land have been identified and targeted. An effort is being made to create opportunities for the parcels to be acquired at this time and in the future.

The final component of the strategy would be to establish a 2,100-acre northwest cultural park that would involve the expansion and restoration of Floyd Lamb State Park and would include opportunities to develop an equestrian park. There is a lot of support from the equestrian community for a park of this nature. MR. FINK informed the commissioners that there was a detailed description of the equestrian park in the appendix of the report. The regional park would also accommodate a model railroad and archeological park. The cultural park would be a

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
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MINUTES – Continued:

significant attraction and a destination landscape in this area. It would preserve some of the values and landscapes that the citizens cherish.

MR. FINK explained that one of the challenges of a program such as this is how to manage and maintain it. The team has recommended a very detailed management program and has estimated the project costs out to the year 2015 for the City. The team has also compared that management strategy to other western communities that have implemented similar endeavors to offer a comparison to places such as Jefferson County and Littleton, Colorado or the City of Albuquerque. MR. FINK stated the recommendation is for the City to adopt an implementation and a stewardship program that is on par with those other communities.

Finally, MR. FINK explained that there is a very detailed trails program in the plan and it would add about 47 miles of new trails in the northwest region. The trails are covered in much detail and the team is finishing up a very aggressive and ambitious program for adding new trails using existing funds and continuous funds that could be drawn upon for that region. He indicated that the trails were summarized in a chart provided in the plan.

MR. FINK stated that the team has worked with Public Works and Planning & Development staff to examine various cross sections and working on how trails get implemented in a variety of landscapes throughout the northwest region. The team wants to insure that the trails are high quality and that they serve the interest of the trail users without creating conflict between competing user groups.

The team has also identified an opportunity to protect the view sheds and backdrop of the Las Vegas Valley by implementing the Vias Verdes Las Vegas strategy. This would be a collective effort between the City of Las Vegas, the City of North Las Vegas, Clark County and other municipalities, federal and state agencies to establish a shared, long-term vision for greenway, open space and trails system could be for the entire Las Vegas Valley and perhaps, all of Southern Nevada. Details on this strategy are included in the plan.

MR. FINK explained that the plan is further detailed into short-term, mid-term and long-term action plans with the first two years of activity being scripted as well as the third through fifth years. By the sixth year, the team would recommend the plan be reviewed and updated. He concluded his presentation by inviting other team members to the podium to answer any questions the Commissioner's had.

JACK ZANINO and BOB SEARNS with the Greenway Team from Denver, Colorado introduced themselves.

PLANNING COMMISSION MEETING OF DECEMBER 2, 2004
Planning and Development Department
Item 49 – VAR-5227

MINUTES – Continued:

ED DODREL, 7795 North Torrey Pines Drive, stated that he is president of the Southern Nevada Regional Trails Partnership. He commended the team for having open meetings, for always looking professional and for soliciting and incorporating comments from the public. His group was both surprised and impressed. MR. DODREL said that homes surrounding the proposed open spaces would be very valuable properties. He indicated that only 45 people surveyed were interested in the horse trails; however, the survey only went to City of Las Vegas residents who live in housing tracks there. He asked the Commissioners to read and approve the plan. He said they should be proud to be a part of it.

ELLIS GREEN, 5024 North Cimarron Road, stated he is also with the Southern Nevada Regional Trail Partnership and the Horse Council of Nevada. He was a member of the Citizens Advisory Council for this plan and attested to the hard work that was done by the team. He complimented both the City and the team. He was happy that the public was able to participate during numerous meetings and was very happy with the plan. MR. GREEN felt the plan was feasible and that the Commissioners should feel proud to take part in this process.

CAROLE LEDUC, 7575 Rome Boulevard, thanked each of the Commissioners for taking the time to review the plan. She stated she was a member of the Citizens Advisory Council for the plan and was very happy with it. MS. LEDUC stated the plan would help to assure the quality of life for the people who have lived in this area for some time. She stated those individuals recognize that the area may not be as desirable as it previously was because of all the growth; however, this plan could help to manage the growth factor while keeping the open space. She commended the Greenway Team and thanked the City for backing the plan.

COMMISSIONER McSWAIN confirmed with MR. FINK that the team did review the current Code and that they made recommendations on modifications to it. She noted the recommendations made regarding the benefits of encouraging higher density in some areas and compared that to the statistics stating that citizens want to protect the rural character. She asked if MR. FINK had examples of other communities, which went through the same type of transition and if his team was able to offer any suggestions to staff relative to how those communities initiated the changes. She said that she recently moved to an area near the Pueblo Park and she felt it was a well-used strategy, which helped to preserve the area. Because she has seen the concept work, she can understand it; however, getting the community at large to buy into the concept would be very challenging. MR. FINK agreed that people do tend to have a hard time understanding that by encouraging higher density, more open space could be preserved. Everyone has to commit to the philosophy. Developers could not be seduced by having higher density and open space and then want to build on the open space. MR. FINK said many communities in the United States are experiencing this same issue. Open space is the number one issue in urbanizing areas nationwide.

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MINUTES – Continued:

MR. FINK indicated that he and MR. SEARNS both live in subdivision communities where 50 percent of the subdivisions are open space. When people hear that information, they are amazed at how it could be possible to arrange a subdivision to allow that much open space. It is possible for a developer to get the necessary yield and product and to do conservation at the same time. COMMISSIONER McSWAIN agreed that it is easier for Master Planned Communities to do so; however, it would be more challenging for specific lots and parcels to factor in a global picture from a probability standpoint. She felt that aspect and the political challenges would be the most difficult hurdles to overcome. Overall COMMISSIONER McSWAIN thought the plan was fantastic and she hoped the will to implement the plan could be found.

COMMISSIONER DAVENPORT concurred with COMMISSIONER McSWAIN'S comments and questioned MR. FINK about how the Commissioners would handle the many requests the board hears for open space variances. MR. FINK replied that it would be challenging but would require the will and commitment to stick to the philosophy. A plan like this would define the will and desire of the community to achieve an end goal. Now, the board would have the ability to work with the community and tell them that after a very exhaustive planning process, the board has a responsibility to implement the plan. Having a defined plan would actually assist the Planning Commission and City Council to use the plan as a platform for how business would be conducted. Once formally adopted and made part of the legal charter, it would be easier to keep the momentum going. MR. FINK did say that within the United States, there is a tendency to think of development parcel by parcel. The global picture is not taken into account and therefore, no thought is placed on how to connect them all together. This plan attempts to take a look at the entire 50 square-mile region of the northwest.

MR. SEARNS stated that during the planning process, the team was fortunate to have representatives of the homebuilder community participate in the discussions. They were able to voice their ideas and their concerns. He acknowledged that the situation is challenging because it does not involve many Master Planned Communities. MR. SEARNS felt the team has led the Commission to the edge and now the City would have the responsibility to move forward to work with the development community in implementing the plan. He hoped the plan would lead to a continuing dialogue with the development and home-building communities.

COMMISSIONER DAVENPORT asked if the other communities that have implemented plans such as this one had to make the requirements to get open space variances more stringent. MR. FINK stated that he was correct and that those types of variances are not offered, as there is a strong economic argument to protect open space. Open space is not a luxury or hardship item; it is a matter of quality of life and ensuring that, as a community, the quality of life and the investment is protected. So the variances are not offered but explained to the developer because it is their responsibility as well to protect public health, safety and welfare.

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MINUTES – Continued:

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MR. SEARNS added that the first public meeting in which this idea was presented had a positive response from both the developer and the residents.

VICE CHAIRMAN NIGRO asked if any studies had been done regarding the percentage of open space relative to the acreage in Summerlin, as well as, the impact of affordable housing when you place open space guidelines. MR. FINK confirmed studies had been done, and the acreage was 30% open space. The golf courses were included in this percentage, as they have a large amount of land associated with them. Given the landscapes of the northwest, one would still have the opportunity to meet the target even without an irrigated golf course solution. He also informed VICE CHAIRMAN NIGRO that a golf course would not be included in the 30% open space plan due to the existing water issues. So, there are golf courses in the northwest region that adds to the open space. Their focus is more so on the natural landscapes, such as the Desert Ecology and the Arroyos. Regarding VICE CHAIRMAN NIGRO'S second questions, MR. FINK responded that the National Home Builder's Association has done studies regarding defining who the buyer is and studies have revealed the individuals prefer to live next to natural open space and not manicured open space. There is a concern for health and fitness, and these buyers would also like to see their children have access to the open space. In addition, there is a 10-20% value increase for homes immediately adjacent to open space properties.

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MINUTES – Continued:

MR. ZANINO added that when making sure the product is affordable, sometimes the density is increased. As a result, the “per unit” return would drop, so there has to be other means to mitigate this. Part of the process is to continue working with the community regarding some of these quantitative factors, such as mixed development and what the impact would be on the adjacent communities. Everyone involved would benefit because the long-term sustainability and value of these properties would go up and remain stable if these communities have amenities, such as open space, quality parks and trails.

MR. FINK referenced a project they are working on in Philadelphia where open space is being placed back into an industrialized urban landscape. Primarily, the residents would benefit because of the health and fitness and economics aspect.

CHAIRMAN TRUESDELL stated he attended one of the applicant’s open space meeting and was very pleased on how well it was presented, as well as, the participation from staff and the residents. He felt that the proposed project was a great tool for the City and the County to use as a guideline in going forward. He did express concern with affordability and what impact these new developments have being built around existing neighborhoods. He felt that tools are needed to assist all parties involved to encourage better design, including density, creativity and affordability. He is aware that the proposed plan is not a final plan; however, it is a great tool and commended the applicant on a great project.

ROBERT GENZER, Planning and Development, stated that the Southern Nevada Regional Planning Coalition, which is made up of the four valley entities, Boulder City and the Clark County School District, is in the process of developing a Request for Proposal (RFP) for a regional open space plan. Staff hopes that the RFP will be distributed after the first of the year. It is hoped that this plan would be “the lead” into whatever the RFP is for. With that, there would be implications beyond the City of Las Vegas, and hopefully, in the near future.

COMMISSIONER DAVENPORT questioned if there was a correlation between the open space and how it is determined with new high-rise projects. He referenced a previous high-rise project in which the lot had to have a minimum of 80% open space in order for it to meet the current open space requirements, which made it a very tall yet narrow structure. He expressed concern, as there are approximately 60 applications pending relating to high-rise structures.

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MINUTES – Continued:

MR. ZANINO responded that studies have shown that the optimal population density is more like five to seven stories. The high-rise structures do not achieve the density like the lower-rise buildings have. As a result, the five to seven story structures have the best population densities.

CHAIRMAN TRUESDELL reiterated his appreciation for the applicant's efforts on a great project. He then pointed out that the motion is based upon whether or not the proposal would be part of the Open Space Plan and to forward it to City Council.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(7:04 – 7:47)

1-2264

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: DECEMBER 2, 2004

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

None

MEETING ADJOURNED AT 9:21 P.M.

Respectfully submitted:

STACEY CAMPBELL, DEPUTY CITY CLERK

ARLENE COLEMAN, DEPUTY CITY CLERK